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The Ancestry of General Robert E. Lee

BY WILLIAM HENRY MANN

John Fiske has well said that without genealogy the study of history is comparatively lifeless. The historical student delights as much in tracing back the ancestry of an illustrious personage as does the explorer in searching for the fountain-head of some majestic stream. There is always a desire to know whence came the great men of history and how far the acknowledged law of heredity contributed to the development of their characters. Nothing could more clearly demonstrate that ancestral traits are vividly reproduced than an inquiry into the genealogy of that great Virginian, General Robert E. Lee; and the more closely one studies the characters and environment of his forbears the less one is inclined to marvel at his greatness and goodness. In this son of "Light Horse Harry" and Annie Hill Carter were combined the best blood and traditions of a great commonwealth and the brightest pages of history prove him doubly worthy of his distinguished sires.

The Lees were of pure Norman blood, the line being traceable back to Launcelot Lee, of Louder, in France, who accompanied William the Conqueror upon his expedition to England, and was granted an estate in the county of Essex as a reward for his valorous deeds. At a later day Lionel Lee, at the head of a company of "gentlemen cavaliers," fought with Richard Coeur de Lion in Palestine, and for his gallantry at the siege of Acre, was, upon his return to England, created first Earl of Litchfield, and presented with the estate of Ditchley. This estate was subsequently held by that valiant old knight, Sir Henry Lee, who figures so prominently in Walter Scott's novel, "Woodstock." About the same time several other Lees so distinguished themselves in the Scotch wars as to have their banners suspended in St. George's

Chapel, Windsor, with the Lee court-of-arms emblazoned thereon, and the significant family motto, *Non incautus futuri*.

During the time of Charles I, the Lees were living in Shropshire, probably at an estate called "Coton Hall." They were all intensely loyal to the king, and just after the close of the Civil War, Richard Lee, along with many other cavalier adherents of the unfortunate Charles, emigrated to Virginia. This Richard Lee stated in his will that he was "lately of Stafford Langton," in the county of Essex. It is thought, however, that he was a younger son of the Lees of "Coton Hall," in Shropshire, as he used the coat-of-arms of that branch of the family. He became Secretary of State and member of the privy council in Virginia, and was one of Governor Berkeley's staunchest adherents in holding the colony loyal to the king. This Colonel Lee is described as "a man of good stature, comely visage, enterprising genius, sound head, vigorous spirit, and most generous nature,"—qualities that were literally inherited by his most famous descendant. He first settled in York county, and to his farm of one thousand acres on Porotank creek, he gave the name of "Paradise." Subsequently he was a member of the House of Burgesses from the county of York, and took his seat therein in 1647. Richard Lee was supremely loyal to the Stuarts, and when Virginia passed under the control of the Commonwealth, he visited Charles II, then an exile in Brussels or Breda, where he surrendered Sir William Berkeley's old commission as governor and received a new one from the exiled king. It has been said that he offered to raise the flag of the king in the New World, but this is highly conjectural and has been denied with considerable force. During the latter years of his life, Colonel Lee lived in Westmoreland county, at an estate called "Mt. Pleasant," consisting of two thousand fertile acres, lying along the banks of the Potomac river.

Richard Lee, the second son of the above mentioned Richard, succeeded to the estate in Westmoreland, the eldest son, John, by name, having died unmarried. This second Richard was a graduate of Oxford, and spent nearly his entire life in study. Being deemed "a loyal and discreet person and worthy of the place," he was appointed a member of the council in October, 1667. He married Letitia Corbin, and in 1714, at the age of

sixty-seven, passed away, leaving five sons and one daughter. His eldest son, Richard, the third of the name, married and removed to London, though it is said his children returned to the Old Dominion. Philip went to Maryland and became the head of the family in that commonwealth, while Francis, the third son, died a bachelor. Thomas, the fourth son, inherited his father's scholarly tastes and notwithstanding a lack of early educational advantages, became, through his own efforts, an accomplished classical scholar. He was a man of great industry and considerable business ability, and succeeded in amassing a comfortable fortune. As a citizen and member of the council, he was so highly respected, that when his house in Westmoreland county was burned, Queen Caroline sent him a large sum of money out of her private purse with which to rebuild the mansion, together with an autograph letter. "Stratford" was rebuilt upon a grander scale and became the property of "Light Horse Harry" Lee through his marriage with Matilda, daughter of Thomas Ludwell Lee, and grand-daughter of Thomas, and was consequently the birth-place of General Robert E. Lee. On the death of Sir William Gooch, Thomas Lee became president and commander-in-chief over the colony, and was subsequently appointed governor, though he died in 1750, before his commission reached America. Nevertheless he is still spoken of as the first native governor of the colony. He married Hannah Ludwell, of an honorable English family, and left six sons and two daughters. His brother, Col. George Lee, married the widow of Lawrence Washington.

"Stratford," the ancestral home of the Lees, is still standing in Westmoreland county. It is a stately mansion, shaped like the letter H, and is situated near the bank of the Potomac river. Aside from having been the home of "Light Horse Harry" Lee and the birth-place of General Robert E. Lee, it contains one room in which were born two signers of the Declaration of Independence, while several other scarcely less distinguished persons first saw the light within its venerated precincts. It was named after "Stratford," an estate in England that was owned by the first Richard Lee.

The six sons of Thomas Lee and Hannah Ludwell Lee were Thomas Ludwell, Richard Henry, William, Francis Lightfoot,

Henry and Arthur. Matilda, the daughter of the eldest son, Thomas Ludwell Lee, was the first wife of General "Light Horse Harry" Lee, and it was by this marriage, that the latter came into possession of "Stratford."

The eldest son, Thomas Ludwell Lee, was a member of the Virginia committee of safety that exercised the executive functions for a time after the inglorious flight of Lord Dunmore. Subsequently he represented Stafford county in the Virginia conventions of July 17, 1775, and December 1, 1775. The second son, Richard Henry Lee, became one of the foremost characters in the great Revolutionary drama. After completing his education in England, he returned to Virginia, where, from earliest manhood, he was prominently associated with the public affairs of the colony. He was a member of the House of Burgesses, and in 1774 was elected a delegate from Virginia to the Continental Congress. As a member of the congress that adopted the Declaration of Independence he introduced the resolution that provided for the appointment of a committee to draft a declaration of the rights of the colonies. According to parliamentary usage he would, no doubt, have been made chairman of this committee, and as such would have been charged with the duty of drafting the great charter of American liberties; but the illness of his wife called him to Virginia, and Thomas Jefferson was appointed to prepare the immortal document. That Richard Henry Lee was eminently qualified for the drafting of state papers has been proved by his very able address to the people of the colonies, that was published in 1774, in which he told the people to "extend their views to mournful events." He was a member of all the Virginia conventions of his time and was one of the great orators of his day, the appellation, "the Cicero of the Revolution," being conferred upon him on account of his skill as a public speaker. After the Revolutionary War he was elected to the Virginia legislature for several terms, and in 1784 was elected to congress, of which body he became president. He opposed the adoption of the Federal Constitution, but was elected one of the first two United States senators for Virginia under its operation, and remained a member of that body until his resignation in 1792.

Richard Henry Lee is said to have been graceful in person and manners, and so elegant a public speaker that he was accused



of having rehearsed his orations before a mirror. He died at "Chantilly," in Westmoreland county, in 1794, aged sixty-seven years. Hannah Lee, daughter of Richard Henry Lee, married Corbin Washington, and it was their son, John A. Washington, who inherited "Mt. Vernon" from his uncle, Judge Bushrod Washington, of the Supreme Court of the United States.

Francis Lightfoot Lee was a member of the House of Burgesses from Loudoun county in 1765, and at a later day represented Richmond county in the same body. He was one of the Virginia deputies appointed in 1776 to secure a concert of action among the legislatures of the various colonies, and was also a signer of the Westmoreland declaration against the Stamp Act. In 1775 he became a member of the Continental Congress, serving as such for five years, and was one of the fifty-six signers of the Declaration of Independence. He was a member of various Virginia conventions, and after the revolution served for a brief period in the State legislature. William Lee was born at Stratford, but removed to London, where he engaged in mercantile pursuits, and for a time acted as agent for the Virginia colony. During the Revolutionary War he was loyal to America and represented the United States as diplomatic commissioner to France, Prussia, and Austria. Arthur Lee was educated at the University of Edinburgh, and practiced medicine at Williamsburg, Virginia, for several years. At a later day he studied law at the Temple, in London, and practiced law in England until 1776. He was secret agent of the colonies in England and in 1776 was appointed a joint commissioner with Franklin and Deane to arrange an alliance with France. After filling diplomatic missions to Spain and Prussia, he was recalled on account of his disagreements with the other commissioners. He was a member of congress from 1781 to 1784, and a member of the treasury board from 1784 to 1789. He died in 1792 at his home "Urbana" in Middlesex county.

Henry Lee, the father of "Light Horse Harry" and cousin to the brothers above mentioned, represented Prince William county in the House of Burgesses, and was a delegate to the convention that brought into existence the independent commonwealth of Virginia.

In the Virginia convention of August, 1774, the roll of which

has recently been discovered, there were four members of the Lee family: Francis Lightfoot Lee, from Richmond county; Henry Lee, from Prince William county, and Richard Lee and Richard Henry Lee, from Westmoreland county. Charles Lee, a brother of "Light Horse Harry," served in the Virginia legislature, and was afterwards attorney-general in the cabinet of President Washington.

Henry Lee, the fifth son of the second Richard Lee, married Mary Bland, a great aunt of the eccentric John Randolph, of Roanoke. A daughter of this marriage became the wife of a Mr. Fitzhugh, hence the connection of the Fitzhugh family with the Lees. Henry, the son of Henry Lee and Mary Bland, married Lucy Grymes, daughter of Lucy Ludwell by her marriage with Colonel Grymes of the council of Virginia, and niece of Bishop Porteus, of England. Lucy Grymes is historically known as the "Lowland Beauty," concerning whose attractions Washington raved in his youthful letters and for whom it is said the "Father of his Country" once cherished a tender feeling. She was married to Henry Lee, December 1, 1753, at "Greenspring" on James river. Greenspring was formerly the home of Sir William Berkeley and probably came into possession of Colonel Grymes through his marriage with Lucy Ludwell, her father Col. Philip Ludwell having married the widow of Governor Berkeley. Six sons and four daughters were born to Henry Lee and Lucy Grymes, the eldest of whom was Henry Lee, familiarly known as "Light Horse Harry," of Revolutionary fame, and subsequently the father of Robert Edward Lee.

"Light Horse Harry" Lee was born January 29, 1756, at his father's estate, "Leesylvania," near the village of Dumfries, in the county of Prince William, Virginia. It was designed that he should enter the legal profession, and to this end he was sent to Princeton College to prepare himself for the further prosecution of his studies in England, under the direction of his kinsman, Bishop Porteus. At Princeton he was distinguished for his morality, genius and diligence, and it was confidently predicted that he would be one of the first men of the country, but the prospects of a bright legal career were annihilated by the beginning of hostilities between England and the colonies. Abandoning all thoughts of success in the forum he accepted the captaincy

of a cavalry company—to which position he was nominated by Patrick Henry—and at the age of nineteen embarked upon what proved to be a distinguished military career. At a later day congress recognized his ability by promoting him to command an independent partisan corps that under his brilliant leadership operated with marked effectiveness in many warmly contested engagements. The surprise and capture of Paulus Hook was due to his bravery and tactical skill, which congress recognized by presenting him with a gold medal emblematical of the event,—a distinction that was not conferred upon any other officer of his rank during the conflict. In 1780 he was promoted to be lieutenant-colonel of dragoons and was assigned to a special command consisting of equal proportions of cavalry and infantry, formed expressly for him by General Washington, and which was said to be “the finest that made its appearance in the arena of the Revolutionary War.” Colonel Lee enjoyed the unreserved friendship and confidence both of Washington and Lafayette, and served throughout the entire conflict with such eminent distinction that it was said of him that “He seemed to come out of his mother’s womb a soldier.”

After the surrender at Yorktown, he retired to his estate, but later entered upon a civil career that was marked by the same courage, zeal, and loftiness of purpose that characterized his military efforts. In 1788 he was a member of the Virginia convention that was called to consider the ratification of the Federal Constitution, in which assembly were John Marshall, Thomas Jefferson, Patrick Henry, Edmund Randolph, Benjamin Harrison, and many others of scarcely inferior ability. In 1786 he was a member of congress and was re-elected to that body in 1799. When Washington died in 1799, Colonel Lee was appointed to deliver a eulogy upon the distinguished services of the dead soldier and patriot, and it was in this address that occurs the famous sentence—“First in war, first in peace, and first in the hearts of his fellow-citizens.” He was a member of nearly all the Virginia conventions of his day and from 1792 to 1795 was governor of Virginia.

In 1798, when the United States began to prepare for war with France as a result of Talleyrand’s insult to the envoys sent by President Adams, Colonel Lee was commissioned a major-general

and he received a similar appointment from President Madison in 1812, but was prevented from engaging in active hostilities by an accident that rendered him unfit for service in the field.

General Lee was an ardent Federalist and when in 1800, the presidential election was thrown into the national house of representatives, so great was his antipathy to the doctrines of Thomas Jefferson that he voted for Aaron Burr throughout the entire contest. Soon after the election of Jefferson to the presidency, General Lee retired to his estate on the Potomac where he lived the peaceful life of a Virginia planter of that period until 1812, when President Madison tendered him a commission as major-general in the Federal army. He accepted the commission and was preparing to enter upon his new duties when an event occurred the result of which rendered him incapable of active military service. General Lee was visiting in Baltimore at the house of a Mr. Hanson, the editor of the *Federal Republican*. During this visit the house was attacked by an angry political mob that had become incensed at some of the utterances of Mr. Hanson relative to the war then in progress. In chivalrously assisting his friend in repelling the attack of the mob, General Lee received wounds that six years later resulted in his death. As a result of these injuries he failed to enter the army, but went to the West Indies with the hope of recuperating his shattered health. His letters to his people while undergoing this enforced exile breathe the loftiest sentiments and give an insight into his character and tastes.

General Lee was a man of classical tastes and advised his children to read "history and ethical authors of unrivalled character." His admiration for John Locke was unbounded. He said, "Do not only study him, but consult him as the Grecians did the Delphic Oracle." He admired Francis Bacon's mental qualities, but condemned his moral character in no uncertain terms. Pope he considered the greatest of the English poets, even placing him above Milton, and did not hesitate to say that Pope's translation of the Iliad was a greater production than Paradise Lost. His three military heroes were Hannibal, Frederick the Great, and Wellington, and to the first-named he gave the honor of being "the first of antiquity in cabinet and field." He admired the military genius of Alexander and Cæsar, but had

no sympathy with the selfish motives that prompted their conquests.

After spending nearly five years in the West Indies without permanent benefit to his physical condition, he embarked for home, but was so overcome with suffering during the voyage that he was landed at his own request, at "Dungeness," on Cumberland Island, near the Georgia coast. "Dungeness" was the home of Mrs. James Shaw, a daughter of General Lee's old friend and companion-in-arms, Gen. Nathaniel Greene. Here he was tenderly cared for until death relieved him of his sufferings. He died March 25, 1818, and was buried at "Dungeness," close beside his compatriot, General Greene.

Thus passed away "Light Horse Harry," the soldier and statesman. Although his fame, to some extent, is overshadowed by his great son's career, he will always be revered as one of the greatest characters of a period that was prolific in great men and noble achievements.

General Lee was twice married, his first wife being his cousin, Matilda Lee, daughter of Thomas Ludwell Lee, of "Stratford," by whom he had four children. The eldest, named for Gen. Nathaniel Greene, died in infancy, and the second followed a few years later. The third son, Henry, was graduated at William and Mary College, and served with distinction in the war of 1812 in which he attained the rank of major. He served as consul to Algiers during Jackson's administration, and was the author of a life of Napoleon, whose military genius he greatly admired. The latter years of his life were spent in Europe where he died in 1837 while a resident of Paris. The daughter of this union married Bernard Carter, who was a brother of her step-mother.

Gen. Henry Lee's second marriage was to Anne Hill Carter, daughter of Charles Carter, of "Shirley," on James river. This union was blessed with four sons and two daughters, namely, Algernon Sydney, Charles Carter, Sydney Smith, Robert Edward, Anne and Mildred. The first son died in infancy. Charles Carter Lee, the second son, was educated at Cambridge and subsequently studied law. He was one of the most courted men of his time, his grace, learning and wit being of such a high order that he was a conspicuous figure in any assemblage. He lived in Powhatan county at an estate called "Windsor Forest," where he died and

was buried. The third son, Sydney Smith Lee, entered the United States navy, and served therein with distinction for thirty-four years. At the siege of Vera Cruz he left his ship and came ashore to take charge of one of the field guns of a battery that was under the command of his brother, Robert E. Lee, at that time a captain of engineers. When Virginia seceded he resigned his commission and entered the Confederate States navy. He was the father of the lamented Gen. Fitzhugh Lee, that gallant *beau sabreur*, who enjoyed the distinction of having been a major-general in the armies of both the Confederate States and the United States. The fourth son, Robert Edward Lee, became the greatest soldier of Christendom, whose character and achievements are the richest heritage of contemporary historians. Anne, the eldest daughter, married William Marshall, of Baltimore, who during the Civil War was an ardent Union man. Their only son was a graduate of West Point and an officer in the United States army during the Civil War. Mrs. Marshall's sympathies, as far as in the nature of things they could be, were with her husband and son, but it is said that she would always qualify her acquiescence in the hope for a Union victory by saying, "But after all, they can't whip Robert." Mildred, the youngest daughter, married Edward Vernon Childe, of Massachusetts, and subsequently went to live in Paris. Edward Lee Childe, the eldest son of this marriage, was a man of literary tastes and wrote a life of his uncle, Gen. Robert E. Lee, in French.

The Carters, from whom Gen. Robert E. Lee sprang on his maternal side, were of an old and honorable English family of the Manor of Garstown, Waterford Parish, county of Hertford. The first of the name in America was the emigrant, John Carter, who was a member of the Virginia House of Burgesses in 1649. From the arms and mottoes it is supposed that he was the son of William Carter, lord of the Manor of Garstown, and of the Middle Temple. John Carter was thrice married: first to Jane Glynn, secondly to Anne Carter, and thirdly to Sarah Ludlowe. Of the last named union was born in 1663, Robert Carter, of "Corotoman," in Lancaster county, familiarly known as "King" Carter. This Robert Carter was speaker of the House of Burgesses, rector of William and Mary College, president of the council, and governor of the colony of Virginia. Colonel Carter owned ex-

tensive tracts of land in the northern neck of Virginia, having obtained sixty-three thousand acres in one transfer from Lord Fairfax, of "Greenway Court." On his tomb that formerly stood at the east end of Christ Church, in Lancaster county, he was spoken of as "An honorable man, who by noble endowment, and pure morals, gave lustre to his gentle birth. Possessed of ample wealth, blamelessly acquired, he built and endowed at his own expense this sacred edifice,—a signal monument of his piety towards God. He furnished it richly. Entertaining his friends kindly, he was neither a prodigal nor a parsimonious host." He was twice married, first to Judith Armstead and afterwards to Bettie Landon. John Carter, the eldest son of the second marriage, married Elizabeth Hill, by whom he came into possession of "Shirley" on James river, one of the lordliest of the colonial plantations. Charles Carter, a son of this union, married Anne Moore, and to them was born a daughter, Anne Hill Carter, who became the mother of Gen. Robert E. Lee, through her marriage with "Light Horse Harry" Lee.

From the blending of these two strains of best Virginian blood, came that blameless knight and true gentleman in whom were deftly interblended the majestic graces of the cavalier and the simple virtues of the Puritan; of whom an eminent English authority has said, "A country that gives birth to men like him, and those who followed him, may look the chivalry of Europe in the face without shame, for the fatherlands of Sidney and Bayard never produced a nobler soldier, gentleman, and Christian than Robert E. Lee."

It is not for the writer to discuss in detail General Lee's illustrious career. History has done this, and his fame "fixed as the earth,—immortal as the sun," belongs to the ages.

## The South's Interest in the Library of Congress

By J. D. RODEFFER, M. A., PH. D.

The rapid advance in material prosperity in the South has directed anew the attention of the public to those factors that work toward the mental and moral uplifting of the Southern people. The renewal and intensification of interest in these influences is seen in the enthusiasm that has characterized the centennial anniversary of South Carolina College, the installation of a president at the University of Virginia and at Tulane, the Columbia Conference for Education, and the individual State campaigns for the purpose of arousing the taxpayers to a realization of the South's shortcomings in the matter of efficient public education. But all of this educational activity, it will be observed, is centered in the instruction of the youth of the South. No systematic effort has yet been made or contemplated toward the education of adults. This problem, which has hitherto found only a partial solution even in the most advanced communities, is indissolubly connected with the circulation of books by public libraries. An inquiry, then, into the condition of Southern libraries and a suggestion as to the relation of the South to the Library of Congress, will not perhaps be at this time inopportune.

Few persons in the South have an accurate idea of her wealth or poverty in books compared with that of other sections of the Union. From the Report of the United States Commissioner of Education on Public, Society, and School Libraries for 1903, it is seen that in the latter part of that year there were in the United States 6,869 such libraries, each containing 1,000 volumes or more, with geographic distribution as follows:

	Libraries reporting.	Volumes.
North Atlantic division.....	3,006	27,805,980
South Atlantic division.....	548	6,025,022
South Central division.....	484	2,524,283
North Central division.....	2,284	14,542,460
Western division.....	547	3,521,257

The South Atlantic division, as used in this report, includes Delaware, Maryland, the District of Columbia, Virginia, West



Virginia, North Carolina, South Carolina, Georgia, and Florida; the South Central division includes Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Oklahoma, and Indian Territory. The former group contained in 1903 an estimated population of 10,931,970, the latter 14,941,636, making a total of 25,873,606 people. The South Atlantic group possesses 55 volumes to each 100 inhabitants, or about one volume for every two people. The South Central group possesses 17 volumes to each 100 inhabitants, or one volume for every six people. The State of Massachusetts, with an estimated population in 1903 of 2,974,021 and with 7,616,994 volumes, possesses 256 volumes to each 100 inhabitants, or five volumes for every two people. The District of Columbia with its 2,712,693 volumes brings up the average of the South Atlantic division much higher than it would have been, had the libraries of Washington been excluded from the comparison. The whole South, including the District of Columbia, possesses only 8,549,305 volumes. Excluding the District of Columbia, Maryland, and Delaware, but including every other State mentioned in the list above, there are in the public, society, and school libraries of the South, that contain 1,000 volumes or more, a total of only 4,398,893 volumes; whereas the libraries of the same class in Massachusetts contain 7,616,994, or a ratio of 4 to 7, with the odds in favor of Massachusetts.

In the case of the larger libraries the disproportion is still greater. There are in the South from the Potomac to the Rio Grande 10 libraries of 50,000 or more volumes each; in Massachusetts there are 27, or a ratio of about 2 to 5½. The significance of this fact is better appreciated when it is remembered that whereas in the one case these 27 libraries are grouped in one State with a land area of 8,040 square miles, in the other case the 10 libraries are scattered through 13 States and two Territories with a total land area of 866,955 square miles and with means of communication much less fully developed than in Massachusetts. Owing to the fact that four of these larger libraries are located in Kentucky and two in Virginia, seven of these 13 States and the two Territories have no library containing as many as 50,000 volumes.

In even the best supplied centers in the South the relative paucity of books becomes apparent upon comparison with other sections. Richmond, Virginia, is an old capital, distinguished for its traditions of culture and scholarship. Its 170,613 volumes place it well in the forefront of Southern cities in library facilities. Yet a person living in the old capital of Hartford, Connecticut, a city with a population somewhat less than that of Richmond, has access to libraries containing 360,313 volumes. With 18 libraries in Richmond and 16 in Hartford, the probability of duplicating works in the former city is greater than in the latter. Similarly the newer towns of Houston and Saginaw have about the same population; yet Houston has 14,916 volumes to Saginaw's 57,104.

The scarcity of books in the South is partly compensated by its nearness to the Library of Congress, a collection of literature which, taken in its entirety, is perhaps the most remarkable in the Western hemisphere. It is unfortunate that this library should still be called by a name which it has outgrown, a name too which is responsible for much vagueness of knowledge on the part of the public concerning its function and mission. The appellation usually applied to it abroad—the National Library—is one preferable, from almost every viewpoint, to its present official name. In justification of the name National Library are the facts that it is a library situated at the nation's capital and supported at national expense, that two copies of all works copyrighted in the United States are by law deposited in the office of the Librarian, and that it is pre-eminently the library of national record.

The magnificent and ornate building in which this library is contained so impresses the imagination and lingers in the memory of visitors to Washington as to be popularly called the Library of Congress without thought of the books that are responsible for the name. The fact is not generally known throughout the South that this collection of books, which was founded by the acquisition of the library of a Virginia president, Thomas Jefferson,\* ranks fifth among the great collections of the world, containing in June, 1904, books and pieces as follows:

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\*For a detailed account of the acquisition of Jefferson's library see W. D. Johnston's *History of the Library of Congress*, Washington, 1904, v. I., p. 68 ff.

# SOUTH'S INTEREST IN LIBRARY OF CONGRESS. 319

	Printed books and pamphlets.	Increase during the year.
Main collection.....	1,179,713	78,791
Law library.....	95,954	1,345
Manuscripts (pieces).....	121,266	18,151
Maps and charts (pieces).....	75,861	6,047
Music (pieces).....	384,418	22,074
Prints (pieces).....	158,451	15,079

From this table it is seen that the accessions in printed books and pamphlets during the year ending June 30, 1904, numbered 80,136. In bulk this number compares well with the accessions of other large national libraries, but it is quality rather than quantity that is the final test of the value of a library. In this respect it cannot be denied that the collection of books in our national library leaves much to be desired. Yet this could scarcely have been otherwise in view of the facts that only 20,000 volumes survived the fire of 1851 and that the annual appropriation from that time to 1898 never exceeded \$11,000 for all manner of purchases. Largely through the persistent efforts of the present librarian, Dr. Herbert Putnam, the appropriation for the increase of the library has been steadily raised to a normal approximating \$100,000 a year. And yet with this apparently liberal appropriation, we fall behind the budget of the British Museum with its £22,000 for the purchase of acquisitions.

The fact is that neither in the minds of the public nor in the conception of Congress itself has the Library of Congress been regarded as the National Library. The debates over the appropriation on the floor of the House have revealed a tendency to compare it not with other national libraries as the British Museum and the Bibliothèque Nationale, but with other large public libraries in this country; and although it is a library of reference or research and not a circulating library, the number of books furnished to readers has been made the basis for comparing its efficiency with that of the free circulating libraries of the large cities. A juster comparison would be with the British Museum, the most influential library in the world, upon which, too, the Library of Congress has in many respects been modeled.

In comparison with this statement of the increase in the Library of Congress, it is interesting and instructive, with the qualifications just mentioned in mind, to note the accessions to

the 2,000,000 volumes of the British Museum during the year ending March 31, 1904:

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(a) Volumes and pamphlets (including 127 atlases, etc., and 1,405 books of music).....	27,370
(b) Parts of volumes (or separate numbers of periodical publications and of works in progress) .....	64,065
(c) Maps .....	1,474 in 8,919 sheets
(d) Musical publications.....	7,751

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The number of distinct works in all four of these classes, (a) to (d), is approximately 33,322. To this number should be added 3,887 broadsides, parliamentary papers and miscellaneous items and 6,823 manuscripts. In spite of different methods of enumeration a fairly satisfactory comparison is here obtained, particularly in the case of printed books and pamphlets in which the unit of counting is the same.

The comparison can be extended with profit to the use made of the two libraries, the basis of time in both cases being correspondingly widened.

#### LIBRARY OF CONGRESS.

	1901	1902	1903	1904
Total number of visitors to the } Library building.....	832,370	694,009	1,011,766	816,700
Readers, Main Reading Room.....	112,894	119,382	163,182	153,870

#### BRITISH MUSEUM.

	1900	1901	1902	1903
Persons admitted to view the } general collection.....	689,249	718,614	845,369	920,848
Readers, Main Reading Room.....	198,566	200,035	211,244	209,713

When it is remembered that the population of London is about fifteen times that of Washington, and when it is recalled what an important part the British Museum plays in the intellectual life of Europe, the parity of these statistics must appear remarkable. A fact that becomes obvious on a glance at the first table is the steady development of the Library of Congress as a place for research.

Instructive also is the manner by which the 80,136 printed books and pamphlets, received by the Library of Congress during

# SOUTH'S INTEREST IN LIBRARY OF CONGRESS. 321

the year ending June, 1904, were acquired. The following table taken from the Librarian's report analyzes the method of acquisition:

By purchase.....	30,735
By gift.....	6,100
By copyright.....	9,589
By international exchange: From the United States Government departments and the Smithsonian Institution.....	13,367
Added to Smithsonian deposit.....	4,441
Net gain by exchange of duplicates.....	2,500
Net gain by binding, books and periodicals.....	13,404
Total added,—books, pamphlets, and pieces.....	80,136

One of the salient facts such an analysis reveals is the small proportion—less than one-thirteenth—of the total accessions that are acquired by gift. If the view be extended over the three preceding years, the disproportion will be found, with the exception of the year 1902, to have been actually increasing.

	1901	1902	1903	1904
Gifts.....	9,678	13,564	7,360	6,100
Total accessions.....	76,481	81,971	88,273	80,136
Approximate ratio.....	1-8	1-6	1-12	1-13

This gradual decrease in accessions by gift is probably due to the strong competition of other public libraries, but more especially to the fact that the Library of Congress is not yet regarded as the library of national record. The broad and liberal policy enunciated by the Librarian in his report for 1901 (p. 13) has not yet obtained sufficient recognition. He says:

"The gifts have indeed been numerous, and show gratifying increase over those for last year. But they have consisted for the most part of documents or ordinary publications, and they were gifts of material solely. Not a single gift of money has ever come to the Library; not a single gift, therefore, which added to its collections by deliberate selection. The acceptance of a gift by such an institution implies that the material given will be creditably supported by other material which it is within the power of the Library to buy. The Library can indeed hope to attract gifts only by three means: First, by a building which will house them safely and commodiously—this it has. Second, by administration which will safeguard them and render them useful—this it is developing. Third, by considerable expenditures of its own in the

acquisition of material which will bring the material given into honorable company and will attract notice to it by increasing the reputation of the general collection. These expenditures it must be prepared to make. All three of these factors have operated in the case of the British Museum. Priceless collections have come to it by gift. They have come largely for the distinction of association and service with a collection already the most distinguished in the world, made so by the direct effort of the Government."

The justness of this reasoning is self-evident. It can scarcely be maintained that when the Library of Congress shall enjoy the same degree of prestige among American libraries which the British Museum has been enjoying among English libraries, the small ratio which the gifts now bear to the total accessions will be continued.

In bringing about this desirable status, the South can and should have an important part. The British Museum is only sixty years older than the Library of Congress, yet who will now undertake to estimate its value to the intellectual life not simply of the British nation, but of the whole civilized world? Much of its fame is due to its being a museum of antiquities as well as a library containing 2,000,000 or more volumes. But its chief value, in the estimation of many scholars and investigators, lies in its collection of manuscripts.

It is in this last respect that the Library of Congress is fast becoming pre-eminent among American libraries. In consequence of a recent executive order, it has received from other government libraries in Washington invaluable collections of manuscripts pertaining to the early history of the nation. It possesses already approximately 121,266 manuscript pieces, of which 18,151 were added during the past year. Of these additions a large proportion pertain to Southern men and affairs. Speaking of the noteworthy gifts of the year 1904, the Librarian says (Report, p. 37):

"Never before have so many or so important gifts been received in a twelvemonth, and the acknowledgment, expressed by the Library of Congress, only voices that of all interested in historical studies and the preservation of the records of American history. Mrs. Smith Thompson Van Buren gave the valuable collection of Martin Van Buren papers. Hon. Hempstead Washburne gave the private papers of his father, Hon. Elihu B. Washburne. From William Kent was received the interesting collection of Chancellor James Kent. Mr. J. Henley Smith, of Washing-

ton, has given the papers of William Thornton. Mr. Wendell P. Garrison presented a number of examples of literary autographs, all the more valuable as they concerned the literary activities of the writers. From Mr. Ben. E. Green, of Dalton, Georgia, were received 90 letters written by Duff Green to Richard K. Crallé and Doctor Cabell. Mrs. Anna Shaw Curtis gave the manuscripts of a lecture on 'American literature,' by George William Curtis. Prof. Albert Bushnell Hart added to the Salmon P. Chase collection by the gift of 24 letters and telegrams of Chase to Edward L. Pierce. Hon. W. W. Rockhill adds a Tibetan musical score book to his already notable gifts of Orientalia to the Library. Mr. Bladen T. Snyder, of Washington, gave a portion of the Hebrew Torah on sheepskin. Mr. C. H. Van Tyne deposits the transcripts of historical letters prepared when engaged on his study of Daniel Webster. The late Mrs. J. L. M. Curry gave to the Library, in memory of her husband, a Latin manuscript volume written in Spain, '*Centum affectuum spiritualium*,' of unknown date, and a memorandum book of William Vidal. . . .

"Two very large and important collections have been obtained by purchase—the papers of James Knox Polk and those of Andrew Johnson. The Polk papers were purchased of the adopted niece of the ex-president, Mrs. George W. Fall, of Nashville, Tenn. They contain 10,500 letters and papers, and include all of the Polk papers except those in the Chicago Historical Society, some 1,500 in number. A precise analysis of this collection has not yet been made, but it covers the entire period of Polk's political life and is obviously rich in material bearing upon political history in the Mississippi Valley, his Washington career as Member of the House and President, the manoeuvres of faction which led to his nomination, and the events which brought to pass the annexation of Texas and the purchase of New Mexico and California. Its relation to other collections in the Manuscript Division gives it peculiar value. The series of Virginia Presidents is complete—Washington, Jefferson, Madison, and Monroe. The administration of John Adams was a continuation of that of Washington, and that of John Quincy Adams was in a time when new political policies were brought forward to give cause for the existence of parties after the era of good feeling under Monroe. The successful party was that of Jackson and his successors, Van Buren and Polk. The Library of Congress thus possesses the Presidential papers of two of the 'dynasties' that carried on the administration from the foundation of the Government to the retirement of Polk. . . .

"The papers of Andrew Johnson were more recently acquired, and have as yet been examined only in a cursory manner. . . . One of the most interesting papers is the original memorandum of conditions of peace given by President Lincoln to Judge Campbell, of Virginia, on April 5, 1865, after the fall of Richmond. The collection is estimated to contain about 15,000 documents, and was purchased from the grandson of the President, Mr. Andrew Johnson Patterson, of Greeneville, Tenn."

These excerpts from the Librarian's latest report show that the tendency in both gifts and purchases is towards the acquisition of manuscripts having especial bearing on American history. In a library of national record, manuscripts of works significant of the origin, development, and progress of the nation's literature should have an important place. There is yet much to be done in the accumulation of creditable collections of such manuscripts in the Library of Congress, and in this work of the future the South must be relied on for her co-operation and support. To mention only one name in Southern literature,—Edgar Allan Poe,—there can be no question that if the Library of Congress possessed the extant manuscripts of his poems and tales, its prestige would be enhanced abroad, while, owing to their readier accessibility to the scholarship of the world, to the South herself would eventually accrue a richer portion of the heritage which is justly hers.



## Some New North Carolina Industries

BY REV. THOMAS A. SMOOT

To attempt a discussion at any length of all of the important new industries that have arisen in North Carolina in the last score of years, would be to overtax the limits of this magazine, as well as to propose for oneself a task of rather discouraging dimensions. In keeping with the implied suggestion of the above statements, only three subjects will be treated, viz., lettuce and dewberry culture, and turpentine distillation from lightwood.

The growing of lettuce in the State as an important branch of industry, does not date farther back than the period 1890-5. During the years previous, one can recall the planting of a row of the vegetable in the garden, to be used for salad, or just to have "something of everything;" but any idea of marketing it would have been regarded as preposterous. The farmer even looked upon the plant with contempt, as being suggestive of an effeminacy unworthy of commercial tastes and values.

During the time indicated above, two enterprising truckers from Baltimore, the Fitzelle brothers, began the culture of lettuce in the sandy loam about Fayetteville. The people looked on with astonishment, and predicted failure. How could lettuce be grown under cover in dead of winter? And if successfully grown, was it of any commercial value? Time alone was necessary to make answer as to the practicability of the attempt, and to raise up many imitators of the Fitzelles. At this writing, perhaps two-thirds of the gardens in and around Fayetteville have from two to six beds of lettuce in them, which the ladies usually claim as theirs; while the truck farmer outside the city is pressing the culture of the crop on a large scale. It is estimated that as much as \$100,000 worth of lettuce is shipped from Fayetteville each year. It can be readily seen that such an amount of money is bound to be a considerable factor in the town's prosperity.

It requires considerable labor and expense to put the ground in proper condition, and to provide beds for the plants; but when the preparation is complete, the result is lasting for years. Heavy boards are used to wall in the beds, which are usually

11x60 to 100 feet in dimensions, lying east and west, and sloping toward the sun. Cotton canvas covers are used to protect the plants from cold. These cause a considerable part of the expense. The ground must have been thoroughly pulverized and made very rich in order to insure quick growth and tender lettuce. For the first year, the expense of preparation and cultivation for an acre of lettuce amounts to \$1,000; after that, it is much less. Generally speaking, the net profit on an acre is from \$800 to \$1,000. One trucker just outside the city limits is accredited with clearing \$2,500 a year on three acres, not to mention the crops of beans and other vegetables grown on the same ground after the lettuce has been taken off.

The lands lying along the Upper Cape Fear are said to be as finely adapted to the growth of lettuce as any section in America. Best of all, they lie midway between the semi-tropical region in the far South, where the crop comes very early, and the colder sections North, where it comes several weeks later. This gives the growers in this State an opportunity to strike the markets during this interim.

Two crops are planted annually—one in the early fall, harvested about the first of December; and one in the beds then vacated, which is marketed in the early spring. It is the lettuce of the latter crop that most appeals to the New Yorker's appetite, and which brings the best prices. So famous has it become that the great commission houses of Philadelphia and New York send their representatives each season to Fayetteville and the surrounding country to make purchases for them. These men go to the fields and solicit in person the consignments to their houses.

The plants are taken from original beds, and are carefully set out in the ground prepared for them, with spaces wide enough between to allow the leaves room to spread. They must from the first be watched and worked to hasten growth and to keep insects and disease at bay, for the plant has several deadly enemies. In cold weather the covers are removed on fair days to give the plants the sun, but care must be taken to replace them at nightfall, as one frost would prove destructive to the crop, or at least damage its sale.

When the heads become firm, resembling well-developed cabbages, they are packed in bushel baskets, made for the purpose.

Usually, thirty to forty good heads will fill a basket, but they must be packed very tightly, and if necessary the number must be increased so as to make up the normal weight. Otherwise, it is impossible to make a good sale. Quotations from the markets take the basket as the unit, \$1.25 being considered a fair price, and \$3.00 extra good. It is said that money can be made on the crop even if the former price prevails.

There is no crop more fascinating than that of lettuce, according to those who have had experience in its growth. Many of the most cultured women of Fayetteville raise considerable quantities every year, and aside from financial returns, get wholesome exercise in the out-of-door air that amply repays for the trouble required. The big growers are becoming more numerous, and the tendency is continually to increase the acreage.

It has been stated that the loamy soils are best adapted to the growth of the lettuce plant. Sandy soils are too dry. This statement does not apply to dewberries, however, which thrive in the white, dry sands in a manner that suggests an at-home feeling. It does one good to see the arid sand-plains turned into blooming berry fields. Few scenes more beautiful could be found than these great fields at blooming time, with a sea of snow-white blossoms open, and filling the air with their fragrance. What a change, from scrubby black-jacks and scanty growths of useless sedges, to landscapes of beauty and utility!

The dewberry crop, like that of lettuce, is comparatively new. Many a man of today remembers when, as a boy, a score of years ago, he traversed the abandoned fields, and searched old fence rows, in quest of dewberries, out of which his mother made the best of pies. The pie was indeed good, but the vine was looked upon with more or less contempt, being a nuisance to pedestrians. Who dreamed then that this same stringy, running brier, would at so early a date become a factor in the industrial life of our people? However strange, such is the case, and thousands of dollars are realized yearly from the new industry.

The plants are set in rows eight feet apart, the distance between plants in the row being half as much. On secure stakes along the rows are strung wires, to which the vines are tied, and along which the tendrils are trained, in order to protect the fruit from the dirt, and to render it more easily gathered. In winter,

the extremities of the vines freeze, and this dead material must be cut off. After several years the old stock must be replaced entirely with new settings.

The berries are gathered from the last of May, through June, after the strawberry season is over, and before the time-honored blackberry comes in, and hence, are always in good demand. The harvesting of the crop is often troublesome, owing to the scarcity of labor. A few days' delay means loss, for berries must not be thoroughly ripe when shipped.

After being gathered, the berries are packed in quart baskets, which in turn are placed in bushel crates. They are then ready for the market, which is found anywhere from Baltimore to Boston. Sixty crates to the acre is a good yield, and the price varies from \$3.20 to \$4.80 a crate. From this it will be seen that an acre will bring from \$200 to \$250 if planted in dewberry vines. The same land, planted in cotton, would not produce over half a bale, for the land is of necessity light. A trucker who has twenty acres planted in berries says he can reasonably expect a return of \$4,000 for his crop annually.

When it is considered what vast areas of land lying in the eastern part of the State are adapted to the culture of this berry, one can form some idea of the colossal dimensions the industry may assume in the future. If a traveller over the old Cape Fear and Yadkin Valley railroad, beginning at Sanford, looks from the car window, he will see to his right and left a continuous stretch of sandy plains and hills, covered with scrubby oaks and tough sedges, extending entirely to Wilmington. His first impression will be that he is passing through a hopeless desert of sand, beyond the reach of improvement. But in reality, he is traversing a region that would welcome the dewberry, peach and grape, and which must some day be devoted to these valuable products. The word "must" is used advisedly; for if our own people fail to take advantage of nature's proffered wealth, enterprising settlers from other sections will come in and reap the rich harvests.

An industry of great importance, and in many respects more interesting than either of the foregoing, is that of turpentine distillation from lightwood.

It is a well-known fact that North Carolina no longer holds its place of pre-eminence in the production of "tar, pitch and turpen-

tine." The supremacy in the output of these products went to South Carolina from the Old North State, then shifted to Georgia, and lastly was yielded to Florida. The naval stores business has followed the receding lines of the virgin long-leaf pine, which has melted away like a snow-man in the sun before the fortune-seekers axe. Only rarely is there to be found a tract of land, kept as a legacy by a careful parent, which has virgin pines upon it that have not been boxed. With the passing of this tree, the scarcity of the products taken from it must be more and more keenly felt.

What, therefore, is to be done to meet the world's demand and need for resinous products? The question has already been answered by the discovery of a method of extracting turpentine, and its by-products, from lightwood, vast quantities of which lie strewn all over the territory once covered by the long-leaf pine. Old stumps, roots and logs are to be found everywhere—in the fields, woods and swamps. Time effects fat pine but little, and wherever it exists, there it will remain in a state of preservation for an indefinite period. Great quantities of it, heretofore considered of small value, are being gathered up and shipped to the factories, where it is sold for good prices. The farmer, therefore, gains a double advantage in clearing his fields of stumps.

The old process of making turpentine is well known, consisting in placing the crude rosin in a copper retort and evaporating it by slow fires. The vapors thus produced, when collected in the condenser, form the pure commercial spirits turpentine, while tar and other valuable by-products are found in the residue. The new process of extracting these products from the lightwood *in situ* consists in putting the wood into a great iron retort first, into which open several steam pipes. The steam is then injected into the retort, where, kept under a temperature of from 200 to 212 degrees, the fat pine gradually yields its resinous contents. These are all collected in a condenser, just as the vapors in an ordinary still. But the result is an indistinguishable mass, containing not only turpentine, but tar and numerous other by-products. In order to get the products separately, this whole mass is now placed in a copper retort, similar to that used in distilling the pure rosin, and is evaporated in like manner to it. The final products are "wood spirits turpentine," tar, and by-products too numerous to mention.

These by-products deserve special notice. Several of them, the most abundant in quantity, are utilized in mixing certain paints, in which there is no danger of marring the colors. A number of others are being used for medicinal purposes. The difficulty in their use lies not in the production of them, for it is well known that this hydrocarbon series may be carried on to an almost unlimited extent; but it is in their unstable nature that the trouble rests. What they are today, they may not be tomorrow. However, they are being tightly bottled to prevent, as far as possible, their breaking up, and are being sold in considerable quantities by some factories. Moreover, the most skilled chemists are constantly working toward a method of increasing their stability.

Naturally the naval stores people have fiercely attacked the spirits turpentine extracted from lightwood as being inferior to that taken from the virgin rosin. First, it was assailed on the ground of its yellow color. The lightwood factory's chemist immediately went to work and discovered a means of making it colorless. Next it was claimed the new product was little more than wood alcohol, but that idea was successfully routed. Later the specific gravity of the supplanting extract was assailed, and this claim has been as vigorously met as those above mentioned. The naval stores operators, however, have been able to secure the passage of laws in the different States compelling the lightwood distillers to brand their products as "wood spirits turpentine." This law continually harbors the suspicion in the mind of the public that the new product is somewhat of a humbug, despite the fact that reputable chemists analyze it as essentially the same in quality as the commercial spirits. As a result of the warfare upon their turpentine, the lightwood operators are forced to take six cents less a gallon for it than do the naval stores operators for the commercial spirits.

Despite all drawbacks, the lightwood operator is forging ahead and is making some money. The net profit on the whole output of a cord of fat pine amounts to \$10.00, while the sale of the charcoal that remains runs the amount up \$2.00 more. This charcoal, rich in ignitable gases, is always in demand on local markets, since it makes the hottest fires of any obtainable fuel, and is especially valued in cooking.

The naval stores man is warming up just a little toward the lightwood people. The farmer is often a visitor at the latter's plant, and is asking many questions. He already sees the beginning of the end with him, when all the noble long-leaf giants will be gone. Hence, with an eye that is human, in that it looks to self-preservation, this man who is passing is casting a backward glance along his track, and is beginning to yearn for a share in the rich aftermath of the harvest that he has reaped with such profit.

The next decade must witness a complete reversal of things. The new industry is bound to have the pre-eminence. New discoveries in the value of by-products will add yet greater wealth to the coffers of the lightwood distiller. Millions of cords of lightwood, buried in swamps, hidden in the brush, existing as a nuisance in stumps await his coming. Already there is a steady call for his products by those who know their value. As a concrete example it may be said that the great furniture factories of High Point have been using wood spirits turpentine for years. It is cheaper than the commercial, and just as good, for it is just the same in properties.

There are about thirty of these lightwood distilling plants already existent in the South, and others will spring up rapidly. Most of them have not sufficient capital to press their operation as should be done. What they need is more money, and concentrated effort under some strong leadership. One of the operators says that in the near future a combine will unquestionably be formed which will guarantee to the new industry a permanency and an effectiveness in operation which will usher in for the industry the era of prosperity and development above predicted.

## The South and the Manufacture of Cotton

BY CHARLES LEE RAPER,

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The Southern farmer now grows more than eleven million bales of cotton, at least seventy-five per cent. of the world's annual output. Will the Southern business man allow other sections than his own to transform more than nine million bales of this raw material into finished fabric? Will he permit the manufacturer of New England and Europe to reap the great reward of such a process? The answers to these most important inquiries are to be found, it seems to me, in the facts of the past, in a keen analysis of present conditions and tendencies, and in a wise forecast of the future.

What are the facts of the past? For sixty years of her life, the old South was more than the master maker of raw cotton; she was almost an absolute "king," with a domain as wide as the civilized world. In transportation, banking, and manufacturing, she gave forth remarkable evidence of power and energy, though only for the last fifteen years of her life. During the decade closing with 1860 almost eight thousand miles of railroad were constructed by the Southern States, while the New England and Middle States built less than five thousand miles. The year 1860 saw the South possessed of thirty per cent. of the banking capital and forty per cent. of all the real and personal property of the United States, though she had but one-third of the total population and less than one-fourth of the whites. This same year saw her possessed of factories and mills of all kinds valued at about one hundred and seventy-five million dollars.

Southern economic life was, during this decade, becoming diversified. For a half century it had been confined largely to agriculture, and for the most part of one type—the growing of the cotton fibre. Soil, climate, slavery, the cotton gin, and high prices for the raw material—all contributed their part in bringing about this concentration of Southern energy and capital upon the culture of cotton. During this half century cotton was indeed "king." With an average price of about seventeen cents a pound



for the raw fibre, from 1800 to 1840, cotton culture became and continued to be the dominant idea in Southern life and thought. It was cotton that supported in luxuriant style the great baronial estate of the Southern planter. It was cotton that brought him wealth in the shape of land, slaves and money. It was cotton that gave him leisure for reading and meditation, for making brilliant speeches and formulating remarkable theories of government. It was cotton that brought the Southern planters into one community of thinking and acting—into a solid South—and made them free traders, not protectionists.

Before this period of cotton's supremacy, the South had diversified agriculture and manufacture, and from 1845 to 1860 came a revival of industrial life and diversity of farming. With a price of a little more than five and a half cents, in 1845, cotton culture lost much of its control over the mind of the Southern planter. He was then forced to seek new and more profitable fields for his energy and capital, and an average price of almost eleven and a half cents, from 1850 to 1860, was not a sufficient motive power to drive him back again entirely within the cotton fields.

There were other aspects of this old Southern life. This old society, though it was powerful, brilliant and picturesque, was in some particulars not of the permanent type. It was to an extent based upon slavery, and the history of the human race has but one story to tell of an economic and social structure upon such a foundation: it must some day be changed or fall. In spite of the old South's really great achievements, she had one decided hindrance, one dark spot upon her life—negro slavery. This was not only a hindrance to the greatest and highest industrial development of the old South, but its residues—the free negro and the free negro's ghost in politics—are still great obstacles to Southern progress.

What of the Southern people since 1880? War, most severe and disastrous, brought destruction to much of the old system. It abolished slavery, gave economic and political freedom, almost in a moment, to millions of negroes who knew nothing of its meaning and responsibility, swept away Southern leadership in government and agriculture, brought bankruptcy and financial ruin to Southern banks and governmental treasuries, closed or

leveled to the ground Southern factories and mills, consumed, as if by fire, hundreds of millions of Southern wealth, and above these, blotted out by the thousands most valuable lives. While in 1860 the Southern States possessed at least forty per cent. of all the property of the entire country, they were poor by 1870, and they became poorer during the uncertain and gloomy days of Reconstruction. To the South the War brought ruin and poverty; to the North it brought prosperity and wealth. To the South the days of Reconstruction brought poverty and gloom, to the North they brought riches and hope. For the South to have rebuilt her commonwealths, to have restored and diversified her agriculture, to have reconstructed her railroads, banking institutions and factories, to have risen from a low position in 1880 to a high one in 1905—to have done all this within a quarter of a century is an extraordinary comment upon the character and energy of the Southern man.

The new South is not, to any very great extent, a product of outside energy and ability. She is largely a revival and a continuation of the old life, a child born of the old conditions, but reared amid new surroundings. The circumstances and time of her birth were most remarkable. She came from the womb of the ruin and the chaos precipitated upon the old South by the most terrible of wars. She was born at a time when the white man of the South and the white man of the North cherished bitter feelings the one for the other, when the Southern white man and the negro were in many ways fundamentally opposed to each other.

While the new South is a child of the old Southern civilization, her economic and social structure is based upon the principle of the freedom of labor, not upon slavery, and she is built upon a permanent foundation. The child is democratic and believes in education for all; the South before 1860 was aristocratic and educated the few. The child is becoming cosmopolitan, looks upon the world's fields of industry and commerce, while the old South was intensely local in her views.

The new South, though she has witnessed a remarkable resurrection, is still far behind the North in wealth and industrial life. The North had more than fifty years the lead and, while the South was becoming poorer and poorer during the direful days of the Civil War and Reconstruction, the North was gathering

golden returns with marvellous rapidity. While the new South is still far behind the North in economic intelligence, activity and wealth, the first twenty years of her life saw more rapid and remarkable progress than any other section of the entire country. During these years the South had an increase in the value of land and its improvements of sixty-seven per cent., while the whole country saw an increase of only sixty-three per cent.; the South had an increase in the value of farm products of almost one hundred per cent., though her population increased by only forty-four per cent.; the South had an increase in the value of investments in manufacture of all kinds of about three hundred and forty-eight per cent., while the increase for the whole country was about two hundred and fifty per cent.; the South had an increase in the value of factory products of almost two hundred and twenty per cent., while the increase for the whole country was only one hundred and forty-two per cent. These statistics of life and progress, though statistics are often dry and uninteresting, make a brilliant and interesting comment upon Southern industrial ability and energy. These facts of the achievements of the new and infant South, coupled with the data of the achievements of the old South, make an optimistic forecast of the future South most vitally real.

What then of our fundamental question? What of the future of the South in the manufacture of cotton goods? As we have stated, the Southern farmer grows annually raw cotton amounting to more than eleven million bales. Will the South allow New England and Europe to manufacture more than nine million bales of this raw material? Raw cotton sells for ten cents a pound, and one pound of this when converted into its highest forms sells for more than twenty dollars. Who shall reap the great reward? New England? England? The South? The process of converting the lower forms of the raw fibre of only a small part of this output into the higher forms of the finished fabric has done much to make New England immensely rich and prosperous; today the manufacture of cotton goods is probably the most important New England industry. For more than a century the cotton mills of England, in which one-half of the raw cotton of the world has been transformed into all kinds and qualities of fabrics, have been her greatest source of wealth and prosperity. Can

the South take from New England and England their factories, at least many of them, and pour into her own life the vast wealth and marvellous stimulation which their transfer would bring? I am optimistic enough to think that she can, and I believe that the facts in the case will support my conviction.

We have already seen what the old South, though under the restriction of slavery, achieved in manufacture. We have seen what the new and infant South, though under the restrictions of poverty and inefficient negro labor, has begun to accomplish in the various fields of industry. Let us now consider what the South is doing in the making of cotton fabrics. In 1880 the Southern States had less than seven hundred thousand cotton spindles and about twenty million dollars invested in cotton factories. Today they have about eight million spindles, or more than eleven times as many as in 1880. Today they have almost two hundred million dollars in factories, or ten times as much as they had twenty-four years ago. During the last two decades of the nineteenth century the capital invested in cotton factories throughout the United States had an increase of about one hundred and twenty per cent., while that invested in the Southern mills saw an increase of about four hundred and twelve per cent. In 1892 the Northern factories transformed into fabric a little more than two million bales, while the Southern mills needed only about six hundred thousand. Today the factories of each section call for about the same amount—about two million bales. In other words the amount manufactured by the Northern factories has not increased during the last twelve years, while the amount used by the Southern factories has increased with extraordinary rapidity.

This is not all the evidence that goes to the support of my conviction—that the South can become the world center of the manufacture of cotton fabrics. There is much, indeed a very great deal, in the general situation to which statistics cannot give adequate expression. By virtue of a gift of nature of a mild though vigorous climate in many parts of the South, it costs less to build factories there than it does in New England. The long and bitter frosts of a New England winter bring damage even to the most substantially constructed building, while the structure in the gentler climate of the South is almost entirely free from

such loss. Water power, another great gift of nature, is there in lavish abundance, and the cold of winter rarely ever by a coat of ice obstructs its utilization as a cheap and efficient motive power of factories and workshops. During the New England winter a river is more valuable for the ice taken from it than for its motive power. The mild temperature of the Southern winter makes it possible to clothe and shelter the factory operative at a low cost, while the extreme cold of a New England winter makes necessary a high cost. The wages of the Southern cotton mill worker are now from ten to twenty-five per cent. lower than those of the New England operative of the same general grade. As the South more and more becomes a maker of cotton fabrics, as her demand for labor becomes greater and stronger, Southern wages will consequently increase, but I believe that it can be maintained that Southern wages will always be lower than those in New England. Wages are regulated not only by what labor can produce, but also by what it costs this labor to clothe, shelter and feed itself. As we have seen, it costs less to house and clothe the Southern worker than it does the operative in New England. It also costs less to supply him with food. The greater part of our food goes to producing heat, not to building or repairing tissue. The expensive part of a working man's living is the fuel for his furnace, so to speak—the production of heat. That the Southern worker is subject to less of this expense and the operative at the North to more of it can with good reason, it seems to me, be claimed.

The South does not at present possess as much capital, the other great agent of production, as does New England, but this disadvantage will quickly disappear, for capital is a mobile thing and will soon shift to the point of greatest reward to itself. Nor is the South so abundantly possessed of that great skill of the operative and that superb intelligence and organization of the manufacturer, factors which have so greatly blessed the New England mills, but she is rapidly coming into possession of these also. The spirit of general and technical education and of enlightened combination and concentration is already leading the South, and under its guidance greater and greater things will be accomplished. The time has come when the Southern manufacturer is profoundly conscious of the value of the most skilled labor,

of the best machinery, and of the most complete organization of all his activities. The Southerner, as well as the man of the North, now knows that in intelligent combination there is great productive power. Hitherto a lack of an efficient system of transportation has retarded Southern progress, has taken away a great natural advantage—the nearness of the factories to the cotton field,—but the day is now not far distant when the South will come into the possession of this great factor of industrial life. With the completion of the Panama Canal, ships laden in Southern ports will carry the agricultural and manufactured products of the South to all ports of the world, and with this will come a far more efficient railway system.

In answering one of our questions, can the South become the American center of the manufacture of cotton goods, we have considered the facts, analyzed the general situation, and we have been led to the affirmative side. The more sweeping question, can the South become the world center of cotton manufacture, meets with somewhat the same response, though time will not permit me to give detailed evidence. For the South to do this will mean that the whole process of the production of cotton goods will be completed within her own borders and that her own people will reap the great rewards accruing from each part of the process. The Southern farmer produces the elementary utilities in the raw cotton fibre, and these are now worth more than four hundred million dollars a year. The Southern manufacturer will convert these lower form utilities into many and varied higher form utilities—into useful and beautiful fabrics of clothing,—and this process will bring with it great activity and wealth. The Southern transportation agent will come between the farmer and the manufacturer, between the manufacturer and the merchant. His process will add place utilities and will bring great intelligence and unity into Southern industrial forces. Between the creator of the higher form utilities and the consumer of these utilities will come the Southern merchant, who will add time utilities. Each agent in the production of cotton goods adds utilities and values, creates new utilities and values. For a people to carry on all of these processes, for a people to make all of the links of the economic chain of production, is for that people to be vigorous and prosperous. It is this complete

chain of production that converts everything which it touches into wealth and golden life.

For the South to achieve this industrial ideal will bring on one of the greatest of contests. To take the textile establishments from New England will also take from her many of her mills for making steam engines and textile machinery, much of her capital and skilled labor—will in short make a vital thrust at her industrial life. For the South to take from England her supremacy in the manufacture and commerce of cotton goods will mean a far greater and more prolonged contest. The transforming of the raw cotton fibre into finished fabrics has so long been England's staple enterprise, the control of the market of these fabrics has so long been within her hands, so much of her wealth, industrial life, and prosperity, has been wrapped up in these processes, that to take them away would mean nothing short of a life and death struggle. But to conquer England's world-wide market of cotton goods is an ever attractive goal for the ambitious Southern manufacturer.

To win in this great struggle will make the South most vigorous and prosperous, will pour into Southern treasuries millions of capital, will add to Southern productive power by the thousand fold, will make it possible for the Southern laborer to toil under circumstances of greatest reward to himself, will enable the Southern business manager to carry on all of his enterprises under the most perfect method and organization, and will create a Southern society which is busy not only with the material things of life, but also those higher things for which the human heart at its best moments longs. To win in this contest will not only bring the South wealth in lavish abundance, but also those nobler things for which wealth is only a means to an end.

# The Executive Prerogative in the United States

BY DAVID Y. THOMAS,

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## PART II.

### 2. *The restraint of individual liberty and the freedom of speech.*

One of the most highly prized safeguards of the Constitution for the preservation of individual liberty is the provision that the privileges of the writ of *habeas corpus* shall not be suspended except when in case of invasion or rebellion the public safety may require it. This is somewhat indefinite as to who shall do the suspending. Since this clause stands among those imposing certain prohibitions upon Congress it would seem that it was the intention of the convention that the suspension should be done by Congress under the limitations mentioned. The constitutions of Mexico and Brazil, which were modeled upon ours, expressly say that the power of suspension rests with the legislature. Judicial decisions also uphold this view of our Constitution, but many eminent men have held that this was a prerogative of the Executive.\* Inasmuch as he undoubtedly has the right to proclaim martial law it might be argued that it is a mere quibble of terms, since martial law *ipso facto* suspends the privileges of the writ. But there is a great difference in the nature of the two. To suspend the privileges of the writ of *habeas corpus* is really a legislative act, to some extent an act of sovereignty, whereby new conditions are created. On the other hand text writers agree that a proclamation of martial law creates no change in actual conditions, but merely announces the existence of a fact. It is applicable only to the immediate theatre of war.

The first attempt to suspend the privileges of the writ of *habeas corpus* was made at the time of the Burr Conspiracy excitement when the Senate passed a bill for that purpose, but it failed in the House because the excitement was quieting down. Jefferson objected to the power to suspend in any case whatever. General Wilkinson, however, practically brought about a suspension at

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\*See Whiting, *War Powers under the Constitution* (1871), 202.



New Orleans by disregarding the writ when issued by the courts.\* As a consequence the government had to pay damages for false imprisonment. This bit of history was repeated in 1815 by General Jackson, who proclaimed martial law and was fined for disregarding the writ. The natural supposition would be that the power authorized to proclaim martial law should be the judge of the facts justifying it, but on several occasions the courts have inquired into the facts to see whether martial law did in reality exist.

In spite of these examples and of the fact that Justices Marshall and Story were on record as saying that the power of suspension belonged to Congress, Mr. Lincoln, at the outbreak of the Civil War, assumed that it belonged to the Executive and proceeded to exercise it.† The first order affected only the military line between Philadelphia and Washington, but more territory was gradually taken in until the whole Union was included.

At first suspects were simply arrested and confined without being brought to trial, often without being informed of the cause of their detention. A proclamation of September 24, 1862, gives some idea of the class of persons subject to arrest, also of the means then at their command to secure justice. In the words of the proclamation, "All rebels and insurgents, their aiders and abettors, resisting military drafts, or guilty of any disloyal practice affording aid and comfort to the rebels, . . . shall be subject to martial law, and liable to trial and punishment by courts-martial or military commissions." As criticism of the administration was classed under the head of disloyal practices it may be easily imagined that the arrests were numerous. The attention of Congress was called to the matter by members who presented resolution after resolution directed against the abuses of the system. Finally an act was passed (March 3, 1863,) authorizing the President to suspend the privileges of the writ of *habeas corpus* during the war and making his order a sufficient defense in all courts against any prosecution pending or to be commenced for searches, arrests, and seizures. At the same time an effort was made to limit the abuses connected with arbitrary arrests by directing the Secretary of War to furnish the United States

\*Story, *Ibid.*, p. 215; *Ex parte Bollman*, 4 Cranch, 75.

†Opins. Attys. Gen. (Bates), x, 74 *et seq.*

courts with the names of citizens of loyal States held as political prisoners and providing for the discharge of all persons so held where a grand jury adjourned without finding indictments against them.

The total number of military arrests was very large, the number exceeding five hundred before the close of 1861. Nor was the law just cited always strictly observed. The charges on which arrests were made varied from the flimsiest to some respectably grave. All classes were affected, from prominent politicians and office-holders to poor laborers and helpless women and children.\* As the President could not possibly know the merits of each case, much had to be left to his subordinates, consequently abuses crept in. Often the power was used for spite or to wreak vengeance on a personal enemy. The abuses appear to have been greatest in the border States of Kentucky and Maryland.†

Soon after the first suspension a writ was granted by Chief Justice Taney for John Merryman, a citizen of Maryland, on the ground that the President had no right to suspend its privileges. The writ was disregarded by the general who made the arrest, as also a writ of attachment for contempt in refusing to obey the order. The justice then said that he could do nothing but file his opinion and confess himself helpless.‡ In one or two cases men were fined for making military arrests and disregarding writs of *habeas corpus*, but all efforts to correct the abuses amounted to nothing until the close of the war. Even then military arrests and trials by military commissions did not cease immediately. William Cozzens, of Pennsylvania, was arrested June 26, 1865, but was released by Justice Thompson, of the Pennsylvania Supreme Court, on the ground that the President no longer had the right to suspend the privileges of the writ of *habeas corpus*, the rebellion being at an end.§ After the close of hostilities the case of L. P. Milligan came before the Supreme Court. He was arrested in October, 1864, but no report of the arrest was ever made to the judiciary. The grand jury met and adjourned with-

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\*N. Y. Evening Express, Oct. 7, 1864; and other papers.

†Offic. Rec. (Reb.), serial No 118, p. 96.

‡McPherson, History of the Rebellion, 154.

§Appleton's Annual Encyclopedia, 1865, pp. 415 et seq.; see also 9 Wall., 274; N. Y. World, Oct. 25, 1865.

out returning any indictment. However, the prisoner was not discharged, but was brought before a military commission, which sentenced him to death. The Supreme Court declared the proceedings illegal from beginning to end. Not only had the law of 1863 been violated in that no report of the arrest was ever made, but also the Constitution, in that he was denied the right of trial by jury. The military commission was illegal because it had not been ordained and established by Congress, which alone had power to establish courts. The command of the President did not justify the act, because he was subject to law. Neither did the "laws and usages of war" apply in States where the courts were open and their processes unobstructed. This was not a case arising in the "land or naval forces, or in the militia, when in actual service, in time of war or public danger." Indiana was not a seat of war nor in immediate danger. The proclamation of martial law and the subjection of citizens, as well as soldiers, to the will of the supreme commander, "destroys every guarantee of the Constitution and effectually renders the military independent of and superior to the civil power." The order for the discharge of the prisoner was concurred in by all of the judges, but four of them filed an opinion dissenting from the argument of the majority.\* Some political writers have criticised this decision as unsound, holding that such powers must be vested in the Executive for the successful prosecution of a war, but practice has shown that it will be abused, and if there is anything that an American hates, it is the abuse of power. A previous decision had allowed the Executive to begin a defensive war; this one announced that the judiciary could pass upon the extent of such a war and the time when it ended. The decision against the legality of military commissions in time of peace was observed by the McKinley administration in refusing to establish such tribunals in Porto Rico after the conclusion of peace at the request of certain military officials.

Hand in hand with the arrest of individuals went the suppression of newspapers. Metropolitan and country papers suffered alike for references to the "present unholy war" and other like aid and comfort to the enemy. For a time it seems that all

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\**Ex parte Milligan*, 4 Wall., 2.

Democratic papers were excluded from Kentucky.\* The censorship of the press exercised in the Philippines caused no little complaint, and the authority for it was called in question. Certainly it was nothing new. In the course of the Civil War a general order recited that the President would take military possession of the telegraph lines. Newspapers publishing military news not authorized by an official would be denied the use of these lines and the right of transmission by railroad. In Ohio General Burnside went so far as to order sundry weekly papers to send him proof of their matter before it was published.†

3. *Suspension and amendment of State laws.* Several laws of Maryland were silent in the midst of arms. By October 7, 1861, twenty-two members of the legislature had been incarcerated in Fort Lafayette. Seven State officers, the mayor of Baltimore, and a member of Congress, in spite of the privileges guaranteed in the State and Federal Constitutions, were arrested, but were released on taking the oath of allegiance. An election was to be held in November. Troops were sent into the State to guard the polls and arrest suspects, though no application had been made by the legislature or the governor for protection against domestic violence. The laws of Maryland expressly forbade any officer to parade troops in sight of a polling place on election day, except in the city of Baltimore. The sending in of troops with such orders, though a violation of State law, was a preventive measure and herein its justification must be sought. In 1863 General Schenck ordered the soldiers to watch the polls and impose the oath of allegiance as a qualification for suffrage.‡ Governor Bradford protested against this and ordered the election judges to perform their duties as conservators of the peace and to report all infractions of the law, particularly the one forbidding soldiers at the polls. As a counter-move General Schenck then restricted the circulation of the governor's proclamation in certain parts of the State until the President's letter in defense of his order could go with it. At the election in 1864 voters were intimidated and arrested by the military, but the Democrats elected a majority of the Legislature. One was threatened with arrest if he did not

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\*Appleton, 1864, pp. 394, 451.

†*Ibid.*, 1863, pp. 473, 484.

‡*Ibid.*, 1861, p. 360; McPherson, 153, 309 et seq.; Newspapers of the day.

resign, and another was imprisoned on the charge of having raised a rebel flag over his house in 1861.

In March, 1863, the legislature of Delaware passed a stringent law against "evil disposed persons" who had caused armed soldiers to be brought into the State to prevent freedom in elections. November 13 General Schenck applied his Maryland order to Delaware and the same day the governor, William Shannon, enjoined "all civil officers and good citizens" to obey this military order.\* Comment would be superfluous.

There can be no doubt that much of the turbulence in Kentucky was due to Federal interference at the polls. Both in 1863 and 1864 martial law was proclaimed and wholesale arrests were made. One prominent candidate fled from the State to escape arrest, and others were not allowed to have their names on the poll books. The lieutenant-governor was arrested and sent South without a trial even by military commission, but escaped from the Confederate lines and resumed his position. In defense of his course President Lincoln said: "By general law life and limb must be protected; yet often a limb must be amputated to save a life, but a life is never wisely given to save a limb. I feel that measures, otherwise unconstitutional, might become lawful by becoming indispensable to the preservation of the Constitution, through the preservation of the nation."† But the amputation did not cease with the preservation of the nation. The interference in the August election of 1865 was most flagrant and shameless.‡

#### D. On Hostile Domestic Territory.

1. *Powers over the life and property of individuals.* In general the powers of the Executive are the same as in prosecuting a foreign war, but in some respects they are different. A sort of modern "fork and hook of Morton" was applied to the Confederates in that they were sometimes treated as rebels, sometimes as alien enemies. At the beginning of hostilities President Lincoln announced that Confederate privateers would be treated as pirates and the first captured were actually condemned as such, but the threat of Mr. Davis to apply the *lex talionis* caused him

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\*McPherson, 812.

†Appleton, 1864, p. 449.

‡N. Y. Herald, Aug. 14, 1865; Cincinnati Commercial.

to recede from this position. At the capture of New Orleans Wm. B. Mumford was tried by a military commission on a charge of treason and was executed by order of General Butler. If he was a citizen of the United States, he was entitled to the form of trial prescribed by the Constitution; if not, he could not have been guilty of treason to the United States.

Before the passage of the confiscation act the work of confiscation and sequestration was begun in New Orleans. All persons, male and female, eighteen years of age, who had not renewed their allegiance, were required to report with a list of their property. General Butler then pushed the work of confiscation, but his arrangement was soon broken up by the President, who ordered that the work be carried on with some observance of the forms of law.\* The general leased the confiscated and "abandoned" plantations to his brother and claimed to set down the profits to the credit of the United States. In some cases the commanding general assumed power to make contracts for loyal planters with their slaves who had not yet been set free. General Banks, when in Louisiana, ordered registered enemies to leave and their "abandoned" property was at once seized and the movable part of it sold. The management of the plantations was continued on an enlarged scale. The authority for the acts must be sought in the laws of war, but some of them went beyond what would be sanctioned in a foreign war. The issuance of the emancipation proclamation, however, one of the most striking assumptions of Executive power, was done in the exercise of a belligerent right recognized by the law of nations.

2. *The restoration of government.* The rights belonging to the conqueror are about the same as on foreign territory, but in this case the object in view was different. March 3, 1862, President Lincoln nominated Andrew Johnson for the rank of major-general of volunteers and, upon his confirmation, appointed him military governor of Tennessee. By the terms of his commission he was authorized "to exercise and perform, within the limits of that State, all and singular the powers and duties pertaining to the office of military governor, including the power to establish all necessary offices, tribunals, etc."† September 19, this commission

\*Offic. Rec. (Reb.), ser. i, vol. vx, 575, 592; *ibid.*, ser. No. 123, p. 765.

†McPherson, 179.

was so altered as to allow him to "exercise such powers as may be necessary and proper to enable the loyal people of Tennessee to present such a republican form of government as will entitle the State to the guarantee of the United States therefor." General George F. Shepley, of Maine, and Mr. John S. Phelps, of Missouri, were appointed military governors of Louisiana and Arkansas respectively in August, 1862.

The President's object in these appointments was to assist the loyal people of the seceding States in restoring those States to the Union. The loyal people were now in the minority, but others might be restored to the rights and privileges of citizenship by taking an oath to support the Constitution of the United States, the slavery legislation enacted during the war, and the Executive proclamations on that subject, so far as not superseded by law. Whenever the loyal electors so constituted, amounting to one-tenth of the number voting in the Presidential election in 1860, should establish a State government republican in form, it would be recognized by the Executive as the true government of the State.

Members of Congress early showed an interest in the work of restoration, but no definite action was taken by that body until the passage of the Wade-Davis Bill, July 2, 1864. The plan outlined in this differed from the President's in that it required the loyal citizens to be in the majority. They were to elect delegates to conventions and the constitutions adopted by them must disfranchise certain enumerated classes, prohibit slavery, and repudiate the Confederate debt. The fate of the bill was a "pocket" veto. The President, in justification of his course, said that he was unwilling to be inflexibly committed to any one plan, or to declare the competency of Congress to abolish slavery in any State. Nevertheless, he was willing to give his assistance to the loyal people of any State choosing to adopt this plan.\*

Evidently the theory at the basis of the President's plan was that of the indestructibility of the States. That is, the States, with their old constitutions and laws, were still in existence for their loyal inhabitants, though disorganized because their officers had fled. But in carrying out the work of restoration the military governors either disregarded the old constitutions and laws

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\*Proclamation of July 8, 1864.

or amended them when they stood in the way of the realization of new ideas. While this work was going on it was necessary to provide for temporary government in some way. Offices were filled by election or appointment, but the incumbents were always subject to the will of the governor, or in Louisiana to that of the commanding general. In Tennessee a judge was elected, received his commission from the governor, and the next day was assigned to the inside of the penitentiary for a circuit. By order of General Shepley two members of Congress were elected in Louisiana in 1862 and they were admitted to seats. Presidential electors were chosen in Tennessee and Louisiana in 1864. The oath exacted in Tennessee as a suffrage qualification virtually required a renunciation of the Chicago (Democratic) platform, in consequence of which the McClellan electors protested and withdrew.\* The votes of Tennessee and Louisiana were not counted.

The loyalists were by no means harmonious, but an irregular convention in Tennessee put forth an amendment to the constitution which met the views of Governor Johnson and it was adopted by a vote of 25,293 to 48, considerably more than one-tenth of the number cast in 1860.† An election was then held for State officers and the new governor was inaugurated about a month after the departure of Governor Johnson, now Vice-President-elect, for Washington. In Louisiana Michael Hahn was elected Governor and was inaugurated March 4, 1864, yet he received a commission as military governor and really held at the pleasure of the President. The factions there were so bitter that great pressure had to be brought to bear from above. Still one could not afford to be indifferent, for, if we may believe newspaper reports, a man was fined fifteen dollars for saying that he was neutral.‡ A constitution was finally adopted, but Louisiana was not so fortunate as Tennessee in escaping the meshes of Congressional reconstruction.

To add still greater variety to the justice administered by the military officers and civilians serving under them the President ordered (October 20, 1862,) the establishment of a provisional

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\*McPherson, 440.

†Appleton, 1864, p. 769.

‡N. Y. World, Feb. 15 and 22, 1864.



court in Louisiana and empowered it to determine "all cases, civil and criminal, including causes in law and equity, revenue, and admiralty, and particularly all such powers as belong to the district and circuit courts of the United States," its judgments to be final and conclusive.\* After the war Congress directed that its records be turned over to the regular United States courts. The legality of all this was affirmed by the Supreme Court, after citing, apparently with approval, the conflicting case of *Jecker v. Montgomery*.†

After the death of President Lincoln the work of restoration was taken up by President Johnson and carried out on the same general plan, with a few modifications. He appointed provisional governors of the other seceding States and directed them to call conventions, and before the end of 1865 he had new State governments in operation.

But beyond that the Executive could not go. Congress had grown restive under the exercise of extraordinary powers by President Lincoln and had, with his assent, enacted into law a few measures designed to restrain his prerogative. The Wade-Davis Bill was designed to take out of his hands the work of reconstruction, but the commanding personality of the President was stronger than the indignant protest of the authors of the vetoed measure. But the accession of Mr. Johnson to the Presidency changed all that and Congress soon began to usurp the prerogatives of the Executive. Attention has already been called to the fact that this spirit became so strong that a bill was passed over his veto, the object of which was to deprive him of the free command of the army, a prerogative guaranteed by the Constitution.

#### E. On New Territory.

1. *Continuation or change of the existing government.* When Louisiana and Florida were acquired no provision was made immediately for their government beyond vesting the military, civil, and judicial powers of the existing government in the President to be exercised in such manner as he saw fit. In the case of territory acquired by war the President has always been left to his own devices for some time. The military governments

\*Offic. Rec. (Reb.), i, xv, 581.

†*The Grapeshot*, 7 Wall., 653; 9 Wall., 129.

existing in the territory at the time of cession were all continued, though an effort was made in California to convince the people that it was no longer military. Legislative powers have been used sparingly, but Congress, to whom belongs the right of sovereignty in the territories, have annulled some of the few decrees so passed and the Supreme Court has invalidated one in part. To take the place of military commissions, which had already been declared illegal in times of peace, the President established a provisional court in Porto Rico with the right of appeal to the Supreme Court. But the court held that it was a military tribunal, though established in time of peace, and not a court with jurisdiction in law or equity, hence the right of appeal was denied.\* However, Congress recognized its existence and provided for the transfer of its records to the United States district court. The legislative power has been used only once or twice to create new taxes. It has been used to remodel the government. This was done in Porto Rico where the civil government act of Congress was adopted as the basis of the military government and civilians were appointed to office the day before the military yielded to the civil power to avoid an interregnum, as some of the officers provided for in the act had not arrived and military officers could not legally serve after that day. In California the military governor called a constitutional convention and surrendered all his powers to the State government set up by that body nine months before the State was admitted to the Union.

2. *Commercial relations.* Of all questions connected with new territory that of commercial relations has been one of the most unsettled. When Louisiana was acquired Jefferson assumed that our laws must be extended by Congress before they would be in force there, consequently he enforced the old Spanish customs laws, treating the country as foreign to the United States, until Congress ordered otherwise.† However, when the Mexican cession was acquired our revenue laws were put in force in California as soon as news of peace was received, which was several months after the proclamation of the treaty. California had not been brought within any collection district by Congress and had no

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\*Thomas, *ibid.*, 3046.

†*Ibid.*, 32 et seq.

port of entry. These defects the President declared he had no power to cure. But as the rigid enforcement of the law which forbade the landing of goods except at regular ports of entry would work a hardship on the people of California, the military governor gave to merchants the option of paying the duties voluntarily and landing the goods there, or taking them to a regular port of entry and bringing them back in American bottoms. This policy was followed until Congress extended our laws and made San Francisco a port of entry. Strangely enough, the money thus collected was covered into the "civil fund" of California, instead of the treasury of the United States.

This course of the Executive was sustained by the Supreme Court,\* but the line of reasoning by which this conclusion was reached is so confused and inconsistent that it is not surprising that the President fell into some errors in dealing with our Insular Possessions. The continuation of the military tariff in Porto Rico and the Philippines for some months after the proclamation of peace was declared illegal on the ground that new territory at once becomes bound and privileged by our revenue laws.† After reading this decision one is at a loss to understand the situation in Tutuila. If the sovereignty of the island is vested in the United States, the Secretary of the Navy is disregarding the decision in not enforcing our laws; if not, the Secretary of the Treasury is violating the law in allowing goods to come into the United States from Tutuila free of duty.‡ Just what prerogative authorizes the Executive to follow this contradictory policy in the Pacific, but causes him to observe the decision of the court by enforcing the Dingley tariff in the Panama Canal Zone—though this was not done at once and the Secretary of War has said that it was a blunder—is more than the writer can say.

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\*Cross v. Harrison, 16 How., 164.

†Insular Cases, 182 U. S.

‡Thomas, *ibid.*, 325.

## The Franklin Bi-centenary

By EDWIN W. BOWEN,

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By reason of the approaching bi-centenary of his birth, fresh attention is being directed to Benjamin Franklin as among the most conspicuous figures in the early history of American letters. Indeed, in the strict sense of the term, there was no American man of letters at the time when Franklin flourished. The man who made the closest approach to this literary distinction was the famous divine, Cotton Mather; and surely he is not properly entitled to be called a man of letters. This fact that there were no American men of letters at the time Franklin lived but emphasizes the remoteness of our colonial history from the present. At the time of Franklin's birth in Boston, the American colonies were under the rule of Queen Anne. At the time of Franklin's birth there was but one newspaper in America, and there was not a printing press south of Philadelphia.

Yet despite these unfavorable conditions Franklin early showed his literary bent. Franklin's father took young Benjamin from school at the tender age of ten and put him in his candler's shop, intending ultimately to fit him for the ministry. In his father's shop the boy gave unmistakable evidence of his love of letters by eagerly devouring the few books in his father's meager library. Only a love of literature amounting to a passion could induce a mere lad to read and re-read such dreary, dry-as-dust theological pamphlets as were found upon the shelves of Josiah Franklin's musty library. Of the entire collection only one book—Plutarch's *Lives*—would possess any interest for the average boy. But young Benjamin was far from being an average boy. For what average boy would save up his few pennies, as Franklin did, in order to buy Bunyan's "*Pilgrim's Progress*," and when he had read and re-read it, sell it, and with the proceeds supplemented by his scant savings, purchase a copy of Burton's "*Historical Collections*?" Though his father little realized it, young Franklin was rapidly developing a taste for a more profitable employment than that of molding candles or grinding knives.

When Franklin was twelve, he was apprenticed to his older brother, who was a printer. This apprenticeship, no doubt, had decided weight in determining Franklin's subsequent career. It was while setting type in his brother James's office for the "Boston Gazette," the second newspaper published in America, that young Benjamin began to write, producing two ballads in doggerel verse. At that time the street ballad was the main source of popular information. Franklin, having written up a recent occurrence in this form, at his brother's suggestion hawked his ballads through the streets of Boston. His father, however, disliked seeing his son resort to this device for selling his literary wares, and so he dissuaded him from any farther attempt at ballad poetry by telling him that all such poets were beggars. Thereupon Benjamin gave up the manufacture of ballads and employed his leisure moments in voraciously devouring all the books that came within his reach. So strong was his passion for reading that, as his biographer informs us, he did not scruple to persuade a book-seller's apprentice, who was his friend, to bring him books home from the store furtively at night. These Franklin would read, sometimes sitting up all night in order to finish the book by morning and have it returned to the store without detection.

During this formative period Franklin was strongly influenced by whatever he read. It is interesting to observe what books exerted the greatest influence upon him. Under the influence of a book on vegetable diet which he read, he forthwith became a vegetarian. On reading Xenophon's "Memorabilia," he became a convert to the Socratic method of dispute and subsequently adopted it in discussion of which he was inordinately fond. Influenced by Shaftesbury's and Collins's writings, he soon drifted into skepticism. But, beyond and above all of these, the book which bore most lasting fruit was a volume of Addison, which Franklin read again and again.

It is interesting to note that this remarkable book was the third volume of the "Spectator." This book Franklin literally read, marked and inwardly digested. Upon it he founded his admirable prose style which is a model of clearness, terseness and force. A mere lad, he was held spellbound by the wit, humor and charm of the "Spectator." Its beauty and grace of style sank

into his mind and made a never-fading impression. All the leisure hours at his disposal he devoted to this volume. He set himself exercises from it. He would take some number that especially struck his fancy, jot down the substance in rough notes and, after a few days, reproduce the thought in his own language, imitating the style and manner of the original as closely as possible. He would even turn the essays into verse as an exercise designed to enlarge his vocabulary. Nor did he neglect the arrangement of the thought. He would separate the sentences, throw them together promiscuously, and then re-arrange them in the original order. In this manner Franklin became steeped and saturated, so to say, with the Addisonian style. It served as the model for that succinct, lucid, nervous and vigorous style which Franklin elaborated in his own writings.

Thus equipped, Franklin addressed himself to his literary work, though not yet out of his teens. He contributed a series of letters to the "New England Courant,"—a paper printed by his brother James. The first letter was called forth by the discussion as to the virtue of inoculation as a preventive against smallpox, which discovery at that time divided the Boston public into two hostile camps. Cotton Mather was an ardent advocate of inoculation. The "Courant" maintained that inoculation was an invention of the devil. When the discussion was at its height, Franklin wrote an article and modestly thrust it under the door of the "Courant" office at night, in the vague hope that it might find its way into the columns of that paper. The article was published, and while there is no record of it preserved, it is reasonable to suppose that it was the first of the famous Silence Dogood letters which Franklin contributed to the "Courant."

The authorship of the Dogood letters was not revealed at the time of their publication. They were first ascribed to Franklin in Parton's biography. Franklin, however, claims the Dogood papers in some notes intended for his "Autobiography." These papers are a noteworthy production for a mere boy. They reflect the spirit and style of the "Spectator" in a striking way. They exhibit the same playful humor and grace of style. The papers include a variety of composition,—letters, criticisms and even dreams.

Shortly after the publication of the Dogood papers Franklin

left Boston, setting out for New York, and ultimately made his way to Philadelphia. Every one is familiar with the graphic sketch the author himself gives in his "Autobiography," of his arrival in the Quaker City, seeking employment, and with barely enough money in his pocket to buy him a loaf of bread for breakfast. From Philadelphia Franklin went on a fool's errand to London. After sore disappointment in his mission he found work in London as a printer. Here while setting type for Wallaston's "Religion of Nature Delineated," Franklin was inspired, from sheer disgust with the argument of that treatise, to write a refutation. The result was the trivial pamphlet, "A Dissertation on Liberty and Necessity, Pleasure and Pain." Franklin afterwards repented of this stupid effort and endeavored to suppress the pamphlet. It is an atheistic production and does not contribute a whit to its author's reputation.

While leading an immoral life in the great British metropolis Franklin set out for Philadelphia, at the instance of a quondam Bristol merchant, who engaged him as a clerk in his Philadelphia store. Upon the death of his employer he secured work as a printer and continued at this trade afterwards till he made his fortune and retired from business. At first he was employed by a printing house; afterwards he set up a printing house of his own in partnership with his old friend Meredith. This event marked the turn of Franklin's fortune. He conceived the idea of publishing a newspaper in connection with his printing house. At that time there was only one newspaper in America outside of Boston. This was the "Weekly Mercury," published by one Bradford, in Philadelphia. Franklin's plan of establishing a new sheet leaked out, somehow, and his rival Keimer forestalled his move in issuing, on December 28, 1728, the first number of the "Universal Instructor in All Arts and Sciences and Pennsylvania Gazette." To checkmate this new venture of his rival printing house, Franklin immediately began in the "Mercury" a long series of essays under the pen-name of the "Busybody," written after the fashion of the Dogood papers. The upshot of the matter was that, with the fortieth number of the "Universal Instructor and the Pennsylvania Gazette," the paper passed into Franklin's hands.

The Busybody papers are of the nature of satire. They reflect,

presumably, in an accurate manner the character of the times, the foibles and failings of Busybody's fellow-countrymen. The first paper sets forth the purpose of Busybody, viz., to censure the growing vices of the people, to lecture them on politics and morality, and to lead them to an appreciation of good literature by giving excerpts from the best books. The second paper is a diatribe directed against those who sin against good taste by indulging in excessive laughter on the slightest provocation, or who are guilty of any other folly equally offensive to good breeding. The third paper elicited a spirited reply from his old rival Keimer, in the form of a tract entitled "A Touch of the Times." To this Franklin published a rejoinder ridiculing Keimer. This was followed up by a paper denouncing impostors and mountebanks and exposing the folly of seeking the buried treasures of pirates. This was probably the last paper from Franklin's pen to the Busybody series. The rest were mainly from the pen of Breintnal.

It is evident from a comparison of the Busybody papers with the "Spectator" that Franklin took his cue in these essays from Addison. To be sure, it is a far cry from the Busybody essays to the "Spectator" numbers, and the resemblance is only remote. Still, it is significant that there is a resemblance, however remote. In Franklin's essays, as in the "Spectator" papers, there is no excess of imagery, and the language is plain, simple, terse and direct. The words used are familiar Anglo-Saxon terms, such as are readily understood. The meaning is as clear as daylight and admits of no ambiguity. To this simplicity of language are wedded a keen wit and a racy humor and a certain vigor of style, which give peculiar force and cogency to these Busybody essays.

From the Busybody papers Franklin next turned his attention to the all-absorbing question of the hour, viz., the currency question. Franklin presented his views in a vigorous and cogent pamphlet, "A Modest Inquiry Into the Nature and Necessity of a Paper Currency." Judged by present-day notions this pamphlet was false political economy. Yet it carried conviction to Franklin's contemporaries and resulted in a large order for paper money to be executed by his printing house, which proved "a very profitable job and a great help," in the language of the "Autobiography."

After the "Pennsylvania Gazette" came into Franklin's hands,



the moribund journal took a new lease on life and soon developed into a flourishing semi-weekly. Franklin used the "Gazette" as the medium for his reflections and criticisms on contemporary doings and happenings, and contributed liberally to its columns. Occasionally, he even ventured into verse, discarding prose as inadequate to his purpose. The most notable example of verse he contributed to the columns of his "Gazette" is his long poem, entitled "David's Lamentation Over the Death of Saul and Jonathan." This is a close paraphrase of the Scriptural narrative and was written about the time when Franklin, abandoning his atheistic views, formulated a liturgy for his own use, founded the Junto and penned his famous epitaph.

In 1732 there came from the press of Philadelphia three noteworthy publications, all bearing Franklin's imprint. The first was the "Philadelphische Zeitung," the first German newspaper printed in America; the second was "The Honour of the Gout;" the third was "Poor Richard's Almanac." Of these the last, being by far the most important from the point of view of the present study, deserves especial mention.

The "Poor Richard's Almanac" had its origin in the popular demand for almanacs in the American Colonies, as in the mother country at that time. This demand is indicated by the fact that the first piece of printing done in the Middle States and the second done in America were almanacs. The American almanac-makers followed the precedent set by their English contemporaries, of including a hodge-podge of irrelevant matter, in addition to the calendar and allied subjects which find a legitimate place in an almanac. Franklin conformed scrupulously to the traditions of the philomaths even down to the detail of heaping liberal abuse upon the work of rival almanac-makers. He chose for his *nom de plume* "Richard Saunders," a philomath who, for a long time, was editor of the "Apollo Anglicanus." "Poor Robin," an English comic almanac which was so indecent as utterly to shock modern tastes, furnished Franklin the general plan for his "Poor Richard Almanac." From this clue Franklin produced the first number of his world-famous "Poor Richard" in October, 1732. The venture proved a phenomenal success and the almanac went like wildfire.

It is the prefaces to the "Poor Richard Almanac" which arrest

our attention especially. The prefaces, as they appeared from year to year, constitute an admirable piece of prose fiction. They are shot through with a rich vein of rollicking humor and with a vivacity that quickens the reader's interest and entertainment. It is here that we become acquainted with two characters of Franklin's creative imagination,—Richard Saunders and his wife Bridget—whose portrayal is almost as artistic and complete as that of any two characters in the entire domain of English fiction in those times. The author shows a rare acquaintance with human nature in his conception of these characters and his execution leaves little to be desired in definition and distinctness of outline. The broad humor is perhaps somewhat too coarse for modern tastes. But it must be borne in mind in this connection that the standards of literature in the eighteenth century are different from those of the twentieth. It is, therefore, conceivable that Franklin's coarse humor, which perhaps offends modern tastes, was not objectionable to his contemporaries.

The humor of "Poor Richard," however, was not restricted to the preface. On the contrary, it appears throughout the whole book, everywhere relieving the monotony of the prognostications, eclipses, calendars, and so forth. For instance, on one page is found this diverting prognostication, for the edification of sailors. "August, 1739. Ships sailing down the Delaware Bay this month shall hear at ten leagues' distance a confused rattling noise like a swarm of hail on a cake of ice. Don't be frightened, good passengers. The sailors can inform you that it is nothing but Lower County teeth in the ague. In a southerly wind you may hear it in Philadelphia." Sometimes amusement is afforded by the witty turn given a maxim, as "Never take a wife till you have a house (and a fire) to put her in."

Franklin, like other philomaths, adopted the plan of inserting in his almanac pithy, striking sayings and maxims between the remarkable days of the calendar. In this manner he interlarded the calendar with bits of the condensed wisdom of the ages. These maxims he designed to encourage and inculcate principles of thrift, industry and honesty. He introduced this feature as a means of disseminating profitable instruction among the common people, after "Poor Richard" became so widely circulated. I quote a few of these proverbial sentences as illustrating Frank-

lin's felicity at phrase-coining no less than his wisdom in inculcating principles of probity and virtue among the common people, many of whom read no other book than "Poor Richard." "It is hard for an empty sack to stand upright." "Keep thy shop, and thy shop will keep thee." "Fools make feasts and wise men eat them." "The rotten apple spoils his companion." "If you would have your business done, go; if not, send." "God heals and the doctor takes the fee." "Necessity never made a good bargain." "Marry your sons when you will, your daughters when you can." These pithy sentences, however, were not all the product of Franklin's own invention. Many of them he borrowed from other almanac-makers. But when he borrowed a trite proverb, he recast it in his own imagination and sent it forth with a fresh stamp upon it from the die of his own invention. Such maxims afterwards passed as new coins and formed not the least element in the success of "Poor Richard."

Moreover, "Poor Richard" contains some of the best short pieces of Franklin's writings. Here may be mentioned "Father Abraham's Address," a masterpiece of its kind. This is a homily which "Poor Richard" put into the mouth of a sensible old man, familiarly known as Father Abraham, and purporting to be delivered at an auction toward the close of the French and Indian War, when the outlook for the future was exceedingly gloomy during those memorable lean years. The effect of this brief paper on the sale of the Almanac was magnetic. It attracted hosts of readers to "Poor Richard." The popular demand for the Almanac was so great in consequence of "Father Abraham's Address" that, when the increased issue was exhausted, the newspapers published the "Address" again and again to satisfy the clamor. Franklin himself published it as a broadside. His nephew, of Boston, printed it in pamphlet form and sent it broadcast through the land. It crossed the Atlantic and was widely circulated in Europe under the caption, "The Way to Wealth." It has been translated into all the languages of the continent, and been twenty-seven times reprinted as a pamphlet in England, to say nothing of the numerous times it has been issued as a broadside in that country. Under the title "La Science du Bonhomme Richard" it has been printed at least thirty times in France. It is, no doubt, the most popular piece of literature produced in the

American colonies, if translation into foreign tongues is any test of popularity.

At the approach of the American Revolution Franklin was sent to England as a special representative of the province of Pennsylvania and subsequently resided abroad most of the time. He was now deeply interested in politics and scientific research. He had little time left for mere literature. In fact, he never cared at any time of his life for literary fame, and was so indifferent to it as never to sign his name to anything he published. Amid his manifold duties as a diplomat he found time to write pamphlets on the burning questions of the day. His undaunted courage in those dark days of the Revolution inspired the drooping spirits of the struggling colonists, and led them on to a successful issue. While abroad, besides his activities in politics, diplomacy and science, he undertook to write a history of his own life, the longest and most interesting of all his works.

It was with great diffidence that Franklin undertook his "Autobiography." The five opening chapters were written during a visit to the Bishop St. Asaph, at Twyford, in 1771. The manuscript was then put aside, and the author's attention was next directed to political matters of a more pressing nature. When Franklin returned to America, he brought the unfinished manuscript home with him. Here he left it, in care of his friend Galloway, when he went back to Europe on his French mission, in 1776. Galloway, meanwhile, turned royalist and his estate being confiscated, the precious manuscript fell into the hands of a Quaker friend and admirer of the author, who made a careful copy and forwarded the original to Franklin, at Passy, with the urgent request that he continue and finish so delightful and profitable a piece of work. Still Franklin was loath to resume the "Autobiography," though glad to recover the manuscript long given up for lost. He was busy with affairs of state and his health was now poor; and these reasons induced him to postpone the task. At length, after being repeatedly urged and entreated by his friends, he took up the "Autobiography" again, in 1788, but only to bring it down to the year 1757. Here he left off a second time and sent a copy to several of his friends and the original to M. le Veillard and Rochefoucauld-Liancourt at Paris. Franklin died shortly after this, and his "Autobiography" was

of course left unfinished. The manuscript met with many strange adventures before the memoirs were published first in a French translation by Buisson, in Paris, in 1791. This version had little to commend it to public favor. It was fragmentary, many passages being omitted or garbled, and the whole work was little better than a travesty upon the genuine memoirs. Then after long reprehensible delay and many vicissitudes the "Autobiography" was first properly published in the Bigelow edition.

The "Autobiography," even in its incomplete form, is by far the most important contribution Franklin made to American literature. Upon it reposes, in the main, his claim to a conspicuous place among American men of letters. As an autogiography it is a model and has proved extremely popular ever since its publication. An idea of its popularity may be formed from the fact that in America alone the work has been republished upwards of fifty times. It is the general verdict of critics that it is the best autobiography in the language. As literature it deserves to rank with "Robinson Crusoe."

Franklin was not a voluminous author. Yet his collected works make a considerable bulk. Few writers have suffered more at the hands of their friends than has Franklin. The excessive zeal of his editors has led them to include too much of mere ephemera in his works. Buisson, Price, Temple, Franklin, Sparks, Parton, Bigelow and all the other editors after them have been overzealous to make their respective editions all-inclusive and definitive. The result is, there is much included in Franklin's collected works which the author himself never entertained the remotest idea of having attributed to him. Much of what makes up the bulk of his writings is mere padding—"remarks," "observations," "essays," "notes,"—which ought, in justice to the author's reputation, to be eliminated. In almost all the editions Franklin is made to stand father to many a brief note or essay which he would have been very reluctant to acknowledge in print. Some future editor would enhance Franklin's fame as a writer if he would only eliminate everything that is of a trivial and ephemeral nature and include such of his writings as are of merit and interest and are designed to perpetuate his name as a man of letters. I am free to admit that this plan would materially reduce the size of his collected works; but it would, at

the same time, greatly enhance their value. Such an edition would, of course, include the "Speech of Miss Polly Baker before a Court of Judicature in New England," "The Witch Trial at Mount Holly," "Advice to a Young Tradesman," "Father Abraham's Speech," "Remarks Concerning the Savages of North America," "Dialogue with the Gout," "The Ephemera," "The Petition of the Left Hand," "Martin's Account of His Consulship," "The Autobiography," the Prefaces to the Almanacs, the best-essays from the "Gazette," his Letters and the "Parables" and a few other selections.

Franklin was the pioneer of American men of letters. Literary fame, however, had no special attraction for him. As already intimated, so far was he from aspiring to literary distinction that he made it an invariable rule never to sign his name to any paper written for publication. He was too much occupied with making American history to surrender himself to literary work, whether for his own delectation or for the delectation of posterity. Even his "Autobiography," the more is the pity, was left half finished, as is well known. He contented himself with essays and pamphlets; and in this field he is without a peer in Colonial literature. His genius was kindled by the passion for American independence which stirred the hearts of the Colonists, and into that cause he threw himself with all the ardor of his soul. An Addisonian by literary training, he made heavy draughts upon his wit, his humor and his fancy, to approximate the happy style of that great master of English prose. And it must be confessed that in this he has succeeded as perhaps no other pupil of Addison's school has, though his imitators have been legion.

Franklin really produced very little that deserves to live. His literature fame seems out of proportion to his output of genuine literature. He wrote no history that has not been forgotten; he wrote no poetry that oblivion has not swallowed up long since. He created no great characters that have taken hold upon the popular imagination. Yet it is but justice to add that he did portray several minor characters which have contributed materially to the enrichment of American literature. The roster includes Alice Addertongue, Anthony Afterwit, Patience Teacroft, Silence Dogood, Titan Pleiads, Miss Polly Parker, Richard

Saunders and his wife Bridget, with all of whom students of our Colonial literature are well acquainted. While not great characters, to be sure, these are, however, all happy creations and imply in their creator a skill and an invention of no mean order.

I am inclined to doubt that Franklin was unwilling to pay the price of the creation of a really great character, even granting that his genius was equal to the task. The imagination he may have had. But he lacked certain other essentials, such as tenacity of purpose and unflagging industry, which hold the attention upon the subject in hand despite all interruptions and distractions. Franklin, according to the French maxim, had the defects of his qualities. He was a many-sided, versatile man, a veritable genius if we may use that much abused term. His interest drew him alternately into business, politics, diplomacy, science, education (he founded the University of Pennsylvania), journalism and literature. He signed his name to four of the most important documents of his century—the Declaration of Independence, the Treaty of Alliance, the Treaty of Peace and the Constitution. His versatility and facility induced him to attempt a variety of things. He lacked the singleness of purpose which seems a prerequisite of success in certain fields of human achievement. Consequently, Franklin rarely finished anything requiring undivided and unremitting attention. An essay or a pamphlet which could be dashed off under the inspiration of a passing excitement or a fleeting emotion, a mere bagatelle which did not require continued mental concentration and effort,—this Franklin could do as cleverly and gracefully as any man. But to bestow long-drawn-out effort upon any piece of writing was irksome to him. Therefore, he would abandon any plan of composition which demanded constant, unceasing attention. This is the reason why the Dogood papers were never completed; this is the reason why the Busybody essays were handed over to another hand to be finished; this is the reason why "Poor Richard" was discontinued; this is also the reason why the "Autobiography" was twice begun and twice put aside and finally left only half-written. This same weakness of Franklin's character which, for want of a more suitable term, we may describe, in a negative way, as a lack of singleness of purpose is shown in his habit of shifting from one pursuit in life to another, and not sticking to any one pursuit very long.

This characteristic defect seems to warrant the inference that however great Franklin was—and great he surely was—he nevertheless does not deserve to rank with the very highest type of minds. As another limitation of our author may be mentioned his small appreciation of poetry, as attested by his dismal paraphrases of certain poetic portions of the Scriptures. He lacked too, to a marked degree, the spirit of reverence. He was wanting in the highest forms of grace and taste.

But these few defects were more than offset by Franklin's many excellent qualities as a literary artist. He possessed an unflinching sense of humor, which permeates and enlivens every page he wrote. To this redeeming virtue he joined a keen wit that gave force and point to all his political writings. He had, moreover, the happy art of literary phrasing—of suiting the word to the thing, and expressing his thoughts in clear, concise and pointed language. He made himself a master of a vigorous English prose style which never failed to convey his meaning in words too plain and simple to be misunderstood. He stands unapproached in the pioneer days of American literature, and his achievement in the domain of autobiography remains unsurpassed even in the present time.



## Ethical Theory as a Basis for Educational Theory and Practice

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As the title of this paper suggests, a hasty and somewhat disconnected review of ethical theory through four or five periods of its development to the present will be necessary. But on the whole all that shall be said may (with the courtesy of the reader's constructive imagination) be grouped under the psychological or the sociological aspect of ethics.

The distinctive mark of conduct is will. But the will, and hence conduct, is always directed towards some preconceived end which the self has chosen for its own more perfect realization. In order to discover the ethical self we must know what kind of self the self would will, what kind of end his character would lead him to choose, and what kind of end would move him. Therefore it might lend clearness to later discussions to consider briefly the history of the development of the ideal end of moral action in ethics.

The Hedonists tell us that since desire is the foundation of will, it is but natural to will those things that are pleasant. Hence the moral end is pleasure; and the natural end and the proper criterion of moral action, therefore, is pleasure. Thus whatever is pleasant is right; whatever is not pleasant, is wrong. But the impulses of our character, which is one of the features we have decided to pass judgment upon, are towards satisfaction and not pleasure. We desire an object and not the pleasure which comes incidentally with the object. In fact, it is not the object after all that we wish so much as the activity which comes in getting it; for this activity is the only thing which relieves the tension which the felt need of the object to the individual has aroused. The error of Hedonism is, then, in saying that pleasure and not doing, is all there is in experience. The chief criticism of Hedonism is that it bears no relation to character. There is no standard in Hedonism but the individual acts. It is, therefore, not moral for it takes no account of general happiness, but only of personal.

The truth of Hedonism is in its conviction that not the object, but what is in man's own conscious experience is the good.

The utilitarian standard of good is the greatest happiness for the greatest number. The individual theory of the Hedonists is avoided by socializing it. Practically the same objection to Hedonism holds to utilitarianism.

The modern evolutionists try to work over Hedonism and utilitarianism, but in so doing destroy pleasure as an end and substitute adjustment to environment. Spencer says, "The ideal social being is so constituted that his spontaneous activities are congruous with the conditions imposed by the social environment formed by such beings." This standard is all right, but pleasure accompanies it incidentally; social adjustment is the real end, I can scarcely claim kinship with Hedonism and utilitarianism of the old school.

With Kant, the motive for moral action is in the law of the will itself: "Act so that the maxim of thy will can always at the same time hold good as the principle of universal legislation." Kant believed that pleasures were the only objects of desire, and not wishing to accept such as a criterion of action he introduced this universal law from outside of pleasure. Hedonism says that consequences determine rightness of conduct; Kant says, the motive. The law of Kant should be a law governing the desires and not a law separate from the desires. The simple conception of law will not move people to moral action; it is too abstract. Duty without a certain amount of self-satisfaction is empty. We must feel an end to be valuable; must be interested in it. Kant, however, makes two valuable contributions to the moral standard: first, the activity of the will as its own end; second, desire must be subjected to universal law.

The three kinds of Hedonism discussed and Kantianism combined give a theory as to what is the good in moral action something like this: "The end of action, or of the good, is the realized will, the developed and satisfied self. This satisfied self is found neither in getting a lot of pleasures promiscuously nor in obedience to law simply because it is law. It is found in satisfaction according to law." Each desire is the self striving for larger action. But to say that the end is the realization of self, does not content us until we know what kind of self. We might

realize a self that is neither moral nor desirable but purely individual.

In the outset, self realization would imply other persons and a social environment; for a rational person could not realize himself as a person except in a society composed of like human beings. Individuality is a specific capacity and demands a specific environment. Each is a pure abstraction without the other. A man could not exercise any capacity if there were no surroundings. The exercising of capacity is always the establishing of relations to something external to itself. There must be a rational universe, then, before there can be a realization of the rational self. The individual is incomplete and cannot complete himself by himself. He has to have a society in which to complete himself. But it is equally true that society has to have him for its most perfect development. We cannot conceive of a society without individuals in it, though certainly historically the notion of society precedes that of the individual. Aristotle said that an isolated individual must either be a beast or a god. This inter-relation of society and the individual has been prominent in the minds of the great thinkers of all ages. Christ's idea was that men united by the bond of fellowship and love as exemplified in himself should on that account possess a life more abundant. Aristotle stated it from a different point of view when he said that the state was called into existence for the existence of the individual and it continued to exist for his well being. Modern idealists present a theory of society which teaches that morality is a common good realized in individual wills: while modern evolutionists tell us that conduct is moral according as it contributes to social vitality. For the acts of the individual to be moral, then, they must exist as preconceived ends proposed to himself as such, coupled with an attempt upon his part to realize them as acts including the welfare of other individuals in society as well as that of himself. While we may doubt that in the outset of any moral intention he is capable of any other proposal than that which is involved in self realization, nevertheless, before his action can be truly said to be truly moral it must involve others. For the moral end is wholly social. It would be folly for the individual not to will the social welfare since his existence depends upon the existence of the social unity. The law of the moral self must

be: "Seek first the life of thy kingdom and all the rest shall be added unto you." In fact, the purpose of his own self realization must be that he may completely realize the necessary nature of mankind—in other words, that he may fully realize the social ideal, the ideal end which society as an organism has set for itself; that he may realize the needs of society, and the service which he is capable of rendering it.

Now there is not so much conflict between the demands of society and the motive for self realization as at first appeared. It is true that when we speak of "end of action" we mean some proposed form of satisfying self. For the moral end is always a conception, an idea of an object which will bring self realization. But the realization of this conceived end, which at first is the supreme good to the individual, consists in adjustment to the claims of society and in realizing the end which society has set up for itself. Therefore, the doing the good but fulfills society's claims and meets the individual's needs. For the self realizing its own highest good must and does at the same time realize the highest good of society.

Society, then, is necessarily organically related, and we may summarize this relation and our discussion thus far by giving McKenzie's three-fold definition of society as an organism. He says: (1) Its parts are intrinsically related to the whole of which they are parts; (2) its growth and development are from within; (3) it has reference to an inner ideal or end. It is not necessary to discuss this theory in detail for evidently, so far as the present theses are concerned, it agrees that the welfare of the individual and the welfare of society depend upon the mutual relation which we are attempting here to establish. Just as the individual life is unified by the activity of the will in realizing itself as expressed in an ideal self, so is the life of society unified in its striving towards its moral ideal. The statements of McKenzie are equally true of the individual end of society.

The demands of society that its individuals should become an organic part of itself and not a mechanical aggregation, as well as the demands of individual nature for a social community in which to attain self realization are the vital demands that are satisfied. This theory of society as an organic unit is of course the ground for the evolutionary theory of ethics previously stated.

Spencer's argument is that good conduct produces pleasure because it brings an organism into harmony with his environment. In fact, we call that animal most highly educated which is best adapted to his environment, whether he be man or beast. If this be true, how pernicious is the doctrine so commonly taught to the child that his school days and childhood are the happiest he shall ever see; just as if the longer he lived, learned his environment, became more closely adjusted to it, and functioned more perfectly in it, the more unhappy his life would be!

The foregoing view which we have called subjective adaptation must not lead us to think of the environment as something that is fixed and static. Moral adjustment must be understood to be the joint action of the individual and his environment; for the character of the individual selects and makes his own environment. It is only in so far as it responds to his character that there is any adjustment at all. Adjustment to environment means as much the transformation of existing circumstances as the reproduction of them. The environment must be plastic in the hands of the agent. Even a plant must do more than adjust itself to a fixed environment; it must work over the chemical elements of the soil to suit its own nature. In other words, the soil must adapt itself to the plant. Thus each man's capacity selects from its environment such things as are related to him. Therefore, each man, somehow, has a different environment, which would invalidate the complaint that this theory of society militates against the development of individuality. It calls for and responds to the personality of every individual. "The more we realize that whatever one conceives as proper material for calling out some internal capacity *is* a part of his environment, in that moment we are conscious that not only does capacity depend upon environment, but environment depends upon capacity." Adjustment, then, must consist in the maintenance and development of those moral surroundings as one's own: to have a moral sense, it means making the environment such a reality to one's self that it becomes a part of character. There is, therefore, such a vital union between the ethical self and the moral environment that they seem to be almost one and the same thing. It is only proper to conclude that when a man wills to realize himself he wills to realize his environment, and if the

realization of self is to him the highest good, the realization of his environment is equally so.

So far we have tried to discover the ethical self in the outward expression of will, character and motive. Conduct we have found to center itself around the end as self realization. Conduct towards his ideal end constitutes what is to the individual the highest good. We found that realization of self presupposed a society of other selves, constituting an organic unit. This relation of the organism to his environment has led us to a discussion of adjustment. Perhaps the best summary of our entire discussion may be given in Dewey's "Ethical Postulate," which is as follows: "The presupposition involved in conduct is this, 'In the realization of individuality there is found also the needed realization of some community of persons, of which the individual is a member: and conversely, the agent who duly satisfies the community in which he shares by that same conduct satisfies himself.'"

Now it is not the purpose of this paper to work out the practical application of this theory in all its details so much as to afford a reasonable basis for such work and for education. But it would be interesting to notice some of its implications in respect to education and educational institutions erected by society as the means to the proper adjustment of the individual to itself. For it is but reasonable to suppose if the foregoing theories are correct that society would contrive by every possible means to secure the most complete adjustment of its individuals to itself, especially if its own life depends upon such adjustment. Now it ought to be apparent by this time that the delicate task that society has before it as an organism, or which the individual has before himself as an ethical being is the maintenance of a proper balance between the rights and duties of the individual and society,—to avoid socialism on the one extreme and individualism on the other. Both of these phases find splendid concrete illustrations in modern society in the shape of labor unions and trusts on the one hand and anarchical institutions on the other. It is the business of society to steer between the two. To do this she must be careful in selecting the educational material for the individual adjustment, to take both the ethical view, which we have tried to present in the first part of this paper, and the social view, which we have tried to present in the latter part of the same.

Or, in other words, of the three elements commonly advanced as necessary for the individual to master before he can become properly adjusted to society, namely: (1) Individual culture; (2) subjugation of nature; (3) and social organization, both the last and the first must have prominent attention in any social institution, or in any method which society adopts for the best adjustment of its individuals to itself.

Again, in reference to the second element, subjugation of nature or adjustment to physical environment just mentioned as necessary for the well being of the ethical self and of society, physical nature must not be thought of as something so different from human nature and from mind. While logically we may think of them as separate, I doubt if the mind in its attitude to them ever acts upon the assumption. Nature certainly does not come from without to the mind and move the mind to comprehend it. The mind constructs nature and is not dependent upon the exterior sensation. The mind is in no sense waiting around to be poured into, or moved to activity, by some external object. Kant says that although our knowledge begins with experience it does not follow that it arises from experience. It is hard to see how the mind could ever act if it had to wait for some sensation to come along and move it to activity. When we speak of studying nature we simply mean that the mind has a certain attitude to that which has within it the same kind of unity as it has within itself, and in fact, is a part of itself, a part which it has constructed for itself. The world of nature is the concrete content to which the mind furnishes the form and to which it thereby gives order. Thus nature and mind are not separate and because of this activity of the mind there can never be this hard and fixed dualism. It is only with this view that we can conceive of education at all. A passive mind furnishes no building point, no ground of beginning for the teacher. The history of the word education implies this self active conception, but our "pouring-in" process so popular even in recent years, is the very reverse of this. Mind is only passive to those who think of "filling" it with objects from without. And there is to such a one an impassible gulf fixed between mind and nature.

In contrasting the self-active-will of character attempting to realize its highest ideal self-adjustment to a social environment,

with the active intelligence struggling to adjust itself to human and physical nature by comprehending their structure and the relations of the individual thereto.

We should like to advance one step further and say that if there is a priority in point of temporal succession in the development of these two aspects of mind which we call self-active-will on the one hand and intelligence on the other, the evidence points to the conclusion that will appears well developed in the life of the child far sooner than the intelligence. The first struggles of the child are for self active expression. His locked up impulses are always striving for expression along some specific lines. They are always dynamic, never static. If this be true, then it follows that children in the early part of their school and home life need such subjects of study as will answer this phase of their nature, such as many of the forms of hand work, and whatever else will give an outlet to their activities, far before they need a training in those more theoretical studies intended to develop the intelligence or power for reasoning. Motor activities should more largely decide the curriculum than at present. But aside from the discussion as to what should be done, let us examine the home and the school and see how far they are in accord with the theories so far advanced.

In the home is found one of the best examples of the individual adjusting himself to society and of society at the same time adjusting itself to the individual. As the young child begins to grow into self consciousness his natural impulses, that is, his semi-formed character, begin to come into conflict with the privileges of the other members of the family, and while this miniature society which we call family yields to him certain concessions in its adjustment to him, it nevertheless rejects certain of his impulses, and clothes certain others with garments of its own manufacture. This process is carried on until later the child's impulses do not have to be suppressed, but directed according to the needs and rights of the family as a unit of which this child is a part. Now in realizing his own impulses and desires in their best setting, he realizes the character of the society in which he is moving, i. e., the family. Perfect adjustment is attained when there ceases to be any conflict between the child and the family. Adjustment here seems not to be so difficult as in other institu-



tions of society, but in truth it is more so, for the family has always lent itself to the task and done its work somewhat more successfully than other institutions.

It certainly does seem that the school from observation of the child in the home could have learned more than it has that both society and the individual are in a constant process of organization. It is incorrect to think of either as static, but rather as changing continually their growth toward their ideal end. This should have rendered long ago the incalculable service to school men of realizing that the course of study adapted to one age could not possibly suit the needs of another. And yet this has not been learned. In proof of it one has but to remember that a large part of the energy of school life today is spent upon studies unsuited to the changed environment, many of which were selected for a civilization belonging to other centuries. In many American communities it is doubtful if one out of five of the studies taught really fits the child directly for the life which he is to live: especially is this true of rural communities. With all of our talk about modern science, nature study, handwork, etc., a careful examination into the course of study even of the most advanced schools will reveal the fact that these subjects do not receive the same attention as the more formal studies do. In 1899 John T. Prince, agent for the Massachusetts Board of Education, collected information from sixty towns of America, showing that the three R.'s still hold the prominent place in all the grades. The United States Commissioner of Education made a similar report some years earlier, using a larger number of cities, which showed that arithmetic has far the greater time in all the elementary grades. The high school and college curriculum proves that the humanities secure more time and better talent than other studies; and yet we are known the world over as an industrial and manufacturing people. Those studies which would lead the child to an understanding of his environment so that he might best work in society do not hold even a prominent place in the schools of our country. The demands of society have had comparatively little influence in shaping our courses of study, in deciding the amount of time which should be spent in the different types of school or in deciding methods of study. The question would naturally arise, "Is the school as it now exists a social or

a moral institution?" Can it be such if the environment and the individual are in a constant state of becoming and developing, while the school remains static in its organization and curriculum? We have tried to prove that the individual cannot be a moral individual unless he realizes the social as well as the individual ideal which are in his case the same. Might we not say that the school also is not moral unless it attempts to realize the social ideal and unless it makes its ideal the same as that of society of which it is a part, to which it is indebted for its existence?

Why should the school not be a miniature society? It seems that its work might be more successfully done if we could get into the habit of regarding the school as a kind of half way house between the home and society. Thus it would continue the work of adjustment between the individual and society. As a matter of fact, it is a magnified individual at present. The individual needs and not the social needs are continually deciding the questions of policy in the school. If the social standard is to prevail in the life of the child after he leaves school, it is unreasonable to suppose that some contrary standard should decide the smallest detail within the life of the school itself. This dualism of school life and social life cannot and does not fail to teach the false notion to the child that somehow his interests are all opposed to those of his surroundings, and if he is to fully realize himself he must do so out of rather than within society. We have tried to show that this very thing could never be done. But, if the school lays its chief stress upon pure individuality and not upon social organism, it is misleading the child to think it is not only possible but desirable. If, however, the school exists as a means of social adjustment some such questions would follow as: How should the school teach social sympathy? How may those powers which are demanded in life be developed, such as good judgment, the emotions, self-reliance, suspended judgment, leadership? etc. The charge is made that these powers are not developed. Let us consider one of them in detail, say, good judgment. All through real life good judgment is called for. Like character, it is a matter of slow growth through experience. It cannot be taught as some subjects, from a text book, but must be acquired even at the risk of the numerous errors attending the

experiments of the learner. The teacher who attempts to train the child as to the quickest way of doing things doubtless removes too far the risks of blundering. Children who run no risks will develop no judgment and no self-reliance. Judgment is trained only by experiments and by doing. How can one be expected to acquire good judgment if the opportunity for judging is always carefully forbidden him? There are numerous incidents occurring in each day's school life which if left to the pupils to work out for themselves, even if they did blunder, would develop their power of deciding for themselves as they are required to do in actual life.

But if society sets the standard and in the main selects the course of study pray what does the individual contribute to the school, some may ask? If our discussion about the will impulses, character, etc., is true we could readily answer that he contributes the raw materials which are the starting points in education. For while his native instincts are not moral, they are not necessarily immoral, they may become moral if they are given a proper outlet through a moral end which is valuable to them as a means of expression. For rest assured these instincts will find expression. They are to be modified so as to fit the environment of the child. The school, with its clearer knowledge of what constitutes valuable material, must so clothe these impulses of his that a character shall be produced which will wish to will only that which is a realization of the best self, and to hold the will upon ends that are ethical because they assist in discovering the ideal self. But for the school to be a truly ethical institution, it must keep clearly before itself that nothing can permanently help anyone except what helps him to help himself. The individual must realize himself. It is not the task of the school to realize the individuality of the pupil for him, but to help him to discover it for himself. It is to bring his attention to the means of self realization. Its work, then, is largely selective. The teacher is to help the pupil select those ends which to him are the embodiment of his desire for self expression and self realization in a society composed of personalities like himself. Then, too, if the school is to be truly a social institution it must be thoroughly conversant with the needs of society, that it may know the world in which the individual is to function. It can hardly be

expected to teach him how to realize the social self unless it knows the elements constituting the society with which he must first become familiar before he can be expected to aid in its organic growth.

The one important end which the teacher should never lose sight of is that the moral end is to be made more distinct with each day; for only when it is consciously and clearly conceived as valuable to the child is it a motive of sufficient power to move him to acquire it. Whenever it is so clearly conceived by him, then is there the feeling of worth, or the tension set up by desire to attain that ideal condition. This is what constitutes the very essence of interest and it is only when this tension is felt by the child that study is interesting, divided attention impossible, concentration probable, and mental development assured. But, because this process starts with the impulses does not signify that every impulse is to be developed, for instance, those of a kleptomaniac. We are to cultivate good impulses and with them crowd out the bad ones. This we have learned from the evolutionary doctrine of the survival of the fittest. A nurtured plant, as it responds to cultivation, shades the hostile weeds around it and by shutting out their sunlight finally kills them. The inspired writer suggests that we overcome evil by doing good. The good impulses only are to receive training.

Education must begin with the child though it ends with society. The child furnishes all the means we have for his own education, however clearly society suggest the ends. Education, then, must look for an analysis of its problems to a psychological and to a sociological theory of ethics combined as aspects of the same experience. The problems which are presented by these studies are, therefore, fundamental and inevitable to a reasonable understanding of principles which guide in education, if it is once granted that the educator desires and society must have a truly moral personality in the citizen.

In conclusion, we may be permitted to repeat that the ethical self is the social self. Society or the individual are mere abstractions when taken apart one from the other. That institution is most truly ethical which helps the individual to realize his best self,—which is his social self. And, that institution is most truly social which recognizes society as an organic growth, and endeavors to

help the individual organisms discover their functions in the social unit. Both the home and the school as ethical and social institutions must look to society for standards but to the active impulses of the child for resources in perfecting the true self. Education thus is the one great charity because it teaches the individual how to help himself to that which is the best to him; and that if he loses himself in society he will surely find himself in the realization of the best self, which is the only true good.

## Some Facts About John Paul Jones

By JUNIUS DAVIS,

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Thanks to the generous and untiring zeal of our late ambassador to France, the grave of John Paul Jones has recently been discovered in Paris, and his remains have been removed by the government to this country for interment at Annapolis. This discovery has revived the interest which our people have always taken in the career of this illustrious captain of the seas, and has of late provoked much discussion in the magazines and newspapers of the various incidents in his life, and, in particular, of the reason for his change of name. The reason for this change of name has ever been a puzzle to his biographers. Most of them pass it by with the mere statement that "he changed his name for unknown reasons." Some few attempt to account for it upon theories, which, while they may be plausible, yet do not appeal to the intelligent reader. Of these there are three, which perhaps seem most plausible, and which, one or another, are generally accepted as true by most people. I will proceed to give these, and the reasons which occur to me for rejecting them as unsound and without anything but conjecture to support them.

Sherbourne, who was, I believe, the first American biographer of Jones, says, on page 10: "Our adventurer, being at length freed from the trammels of apprenticeship, made several voyages to foreign parts, and in the year 1773 again went to Virginia to arrange the affairs of his brother, who had died there without leaving any family; and about this time in addition to his original surname, he assumed the patronymic of Jones, his father's Christian name having been John. This custom, which is of classical authority, has long been prevalent in Wales, and in various other countries," and having built up his edifice to this point, he immediately proceeds in the next breath to demolish it with the naïve remark, "although it is not practiced in that part of the island in which he was born." This idea was not original with Sherbourne, but was taken by him from an article in the Edinburgh Encyclopedia, which, Sherbourne says in a note on

page 11, he "learned from Mr. Lowden, the nephew of Jones, a respectable merchant, now (1825) resident at Charleston, S. C., was written from the lips of Mr. Lowden's mother for that work by Dr. Duncan, of Dumfries, Scotland." Nor did it come from "the lips of Mr. Lowden's mother," as is plainly apparent from the context in Sherbourne and from the account given in the life of Jones commonly ascribed to his niece, Miss Jannette Taylor, but it was developed in the imagination of Dr. Duncan.

Now whoever heard of a Scotchman rummaging among the traditions and customs of the Welsh in a search for a change of his name? And whoever heard of such a custom being prevalent in any part of Scotland? Besides, at this period of his life, Jones was a matured man, twenty-six years of age, had come to settle definitely in America, had turned his back forever on his native land, and was never again to see a single member of his family. In fact, it was in 1771 that he saw his relations in Scotland for the last time.\* No one can read his life and his correspondence, without being impressed by the fact that his interest in his family was prompted more by duty and sentiment than by any real love or affection. He was often in England after 1771, but he never went near his family or evinced the least desire to see any of them. In truth he had risen far above the humble gardener, his father, and while he at times corresponded with his family, he moved in a different world in which they had no part. If it was filial affection which induced the patronomic of Jones, is it not certain that his family would have known it? Would he not out of the same love have hastened to tell it to his mother who was then living, if not to his sisters? The mere fact that he did not do so, that he studiously concealed it from them, is to my mind the strongest refutation of this surmise of Dr. Duncan. It must be remembered also that when he took upon himself the name of Jones, or shortly afterwards, he dropped the prænomen John and usually called himself Paul Jones.

In the life of Jones by his niece, Jannette Taylor, the only mention of this event is as follows (page 31): "At the time when Paul settled (or, more properly, supposed he meant to settle,) in Virginia, it would seem that he assumed the additional surname of Jones. Previous to this date, his letters are signed John Paul.

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\*Taylor, 23.

*We are left to conjecture the reason of this arbitrary change. His relations were never able to assign one; there is no allusion to the circumstances in the manuscripts which he left, and tradition is silent on the subject.*" The italics are mine.

I take it that "tradition," as here used, meant tradition among the family in Scotland, and as so used, I admit the truth of it. But that tradition was silent in North Carolina, I deny, though it had not, at that time, spread beyond her border. We were ever proud of our traditions in this State, but clung to them so tenaciously that we were loath to let them stray abroad and be known to other people.

Another theory, and the wildest of them all, but one which also has its believers, is that John Paul came to America and took the name of Jones to conceal his identity and avoid arrest for the murder of the carpenter Maxwell. Now, when Paul flogged Maxwell for his mutinous conduct, he was in command of the ship John on his second voyage in her. He discharged Maxwell at the Island of Tobago in May, 1770. Maxwell immediately had Paul haled before the Vice-Admiralty Court for assault, but the complaint was dismissed as frivolous. Later on, in England in 1772, he was charged with the murder of Maxwell, and it seems that an indictment, presumably for murder or manslaughter, was found against him. A complete and perfect contradiction of this calumny is to be found in Brady, pages 9 and 10, and Miss Taylor's book, pages 18 and 20, where she gives the affidavit of the Judge of the Vice-Admiralty Court, who heard the complaint of Maxwell, and of the master of the ship on which Maxwell died.

So that it seems abundantly proven, not merely that Paul did not flee England on this account, but positively that he disdained to fly and met and boldly confronted the charge. In a letter written by Paul to his mother and sisters, speaking of this occurrence, dated London, September 4, 1772, he says: "I staked my honor, life and fortune for six long months on the verdict of a British jury, notwithstanding I was sensible of the general prejudices which ran against me; but, after all, none of my accusers had the courage to confront me."

Another theory is the one first advanced by Buell in his "Life of Jones." This book is one of the latest attempts at an extended history of Jones, and in spite of some errors, is an exceedingly



interesting work. Though written more than one hundred years after the death of Jones, and after numerous writers had seemingly exhausted every available source of light and information, he gives many incidents, and interesting ones too, in the career of Jones that were never heard of before. Some of these are highly colored and seemingly very improbable, and some without support in fact. But it is no part of this article to criticise Buell's book, save that part which refers to the reason for Jones's change of name.

Buell says, page 1, that John Paul's older brother William was adopted in 1743 by a relative named William Jones, a well-to-do Virginia planter, while he was on a visit to Kirkbean Parish, and that William then took the name of Jones. On page 6 he says: "Old William Jones died in 1760, and by the terms of his will had made John Paul the residuary legatee of his brother (William) in case the latter should die without issue, provided that John Paul would assume, as his brother had done, the patronymic of Jones. On his visit to Rappahanock in 1769, Captain John Paul legally qualified under the provisions of the will of William Jones by recording his assent to its requirements in due form."

Naturally the reader would presume that the statement of an historical fact so positively made was based on record evidence, but not so. The entire statement is without support in every particular. I have a duly certified copy of the will of William Paul, dated March 22, 1722, procured in May last from the clerk of the Circuit Court of Spottsylvania county, Virginia, and taken from the records on file in his office. It begins thus: "I, William Paul, of the town of Fredericksburg and county of Spottsylvania in Virginia, being in perfectly sound memory, thanks be to Almighty God," etc., etc. The third clause of the will is in these words: "It is my will and desire that my lots and houses in this town be sold and converted into money for as much as they will bring, that with all my other estate being sold and what of my outstanding debts that can be collected, I give and bequeath unto my beloved sister, Mary Young, and her two eldest children, in Arbigland in Parish Kirkbean, in the Stewartry of Galloway, and their heirs forever. And I do hereby empower my executors to sell and convey the said lots and houses and make a fee simple therein, and I do appoint my friends, Mr. William Templeman

and Isaac Hislop, my executors, to see this my will executed, confirming this to be my last will and testament."

This sister, Mary Young, afterwards married a Mr. William Lowden, who removed to this country and was a merchant in Charleston, S. C., as late as 1825. Both of the executors renounced, and one John Atkinson was appointed administrator and gave bond in the sum of five hundred pounds, the amount fixed by the court. The will was admitted to probate December 16, 1774. It is subscribed "William Paul," and the attestation clause is—"William Paul, having heard the above will distinctly read, declared the same to be his last will and testament in the presence of us." Three several times in the will does the testator solemnly declare his name to be William Paul, and the name of his brother John Paul is not mentioned within the "four corners" of the instrument. But this is not all. In June last, I wrote to the clerk of the Circuit Court of Spottsylvania county that it was asserted that one William Jones, planter, died in Fredericksburg about 1760, leaving a will in which he devised all of his property, including a plantation on the Rappahanock, to William Paul or John Paul, and asking him if this was true. In reply, he wrote me that William Jones did not mention the names of William Paul or John Paul in his will, and that the only tract of land owned by him, so far as the records showed, some 397 acres, had been sold in his life time. These facts would seem to be a complete refutation of Buell's statement. Yet, very nearly all of the many writers who have of late been filling the newspapers and magazines with articles about Paul Jones, have adopted Buell's theory and asserted it positively and confidently, without even giving Buell the credit of the discovery. Let us take one instance of the reckless manner in which these articles are written. A sketch of Paul Jones, written by Alfred Henry Lewis, is now running in the *Cosmopolitan*. In the August, 1905, number, Mr. Lewis gives the same account as does Buell for Paul's change of name. He says that in the month of April, 1773—mark the date—Paul landed on the Rappahanock at the foot of the William Jones plantation, where his brother William was then living; that he found him on his death bed, and his last words were that his name had been William Paul Jones since he inherited the plantation from William Jones, and that he, John, must take the name of John

Paul Jones at his death, with the plantation. In the September number is printed, with the continuation of his article, a cut of William Paul's tombstone, bearing the name of William Paul—not William Paul Jones—inscribed upon it, and the date of his death as 1774.

Is it not very singular, to say the least, that, if William Jones was a relative of Paul's, and while on a visit to Kirkbean adopted William Paul, who then took the name of Jones, this fact was not known and well known to all of the members of the family? How could such an important event in the quiet, secluded life of their humble home have been forgotten. And yet it was not known to his niece, Miss Taylor, who, as said before, came to this country to compile and write the life of her uncle, nor was it heard of until it was told to Buell by the great grandnephew of Jones in 1873.

The Rev. Cyrus Townsend Brady, in an article which appeared in the July, 1905, number of *Munsey's Magazine*, challenges this statement of Buell, exposes its fallacy, and declares his belief in the North Carolina tradition. And he gives strong and convincing reasons for his view of the matter. He says Buell wrote him, that he got his information from one William Lowden, whom he met in St. Louis in 1873, and who was a great grandnephew of Paul Jones. Against this, besides the record evidence above quoted, we have the equally positive statement, quoted hereafter, made by William Lowden, the nephew of John Paul, to Mr. Hubard, of Virginia, in 1846, that he took the name of Jones out of affection for Willie and Allen Jones, of North Carolina. Which of the two statements should carry the more weight to the unbiased mind—the statement of the nephew, made in 1846, to a lineal descendent of Willie Jones, or the one made years later by the great grandnephew to Buell? The question suggests but one answer. But to my mind the grand nephew gives testimony in support of my contention. He says that John Paul Jones took the name of Jones from William Jones, and the lane from William to Willie is but short. I admit this, but the rest of his statement is utterly disproved by the cold, dispassionate evidence of a court of record.

I have thus endeavored to shew how utterly unreliable, how entirely unfounded, is the voice of history. Let us see now, what

tradition, as it has come down to us in North Carolina from our forefathers, may have to say. It will be conceded, I believe, by all who knew him, that my father, the late Hon. George Davis, was one of the most learned, most painstaking, and intelligent students of the history and traditions of our State. To these he devoted a very large portion of his leisure moments, with much labor, keen delight and untiring study. Soon after I began the practice of law in his office, about 1870 or '71, he told me, as a fact well known to, and accepted by, the men of the older generation in the State, from whom it had come to him, that soon after coming to Virginia, in 1773, Paul met Willie Jones and paid him quite a long visit at his home, "The Grove" in Halifax county, N. C.; that he conceived a great attachment for Jones and his most accomplished wife and out of affection for them added Jones to his name.

The following is an extract from a letter dated Saratoga, Buckingham county, Virginia, February 22, 1876, first published in the *Baltimore Sun* and afterwards in the *Charleston News and Courier*: . . . . "While no revolutionary biography can boast more public events of vivid and intense interest than that of Paul Jones, none is so bare and meagre in personal detail; even the fact that he has immortalized a name which was his only by selection and adoption, is slurred over in history with a calm statement that 'he changed his name for unknown reasons.' As the reasons were not unknown, and, however difficult to obtain later, were then easily accessible, it appears to have been rather a lack of careful and intelligent investigation, than of facts, which caused their suppression. . . . In 1773 the death of his brother in Virginia, whose heir he was, induced him to settle in Virginia. It was then he added to his name, and henceforth was known as 'Paul Jones.' This was done in compliment to one of the most noted statesmen of that day, and, in the love and gratitude it shadows forth, is a reproach to a people who could neglect in life and forget in death. It appears, that, before permanently settling in Virginia, moved by the restlessness of his old seafaring life, he wandered about the country, finally straying to North Carolina. There he became acquainted with the two brothers, Willie and Allen Jones. They were both leaders in their day, and wise and honored in their generation. Allen Jones was an orator

and silver tongued. Willie Jones, the foremost man of his State, and one of the most remarkable men of his time. . . . His home, 'The Grove,' near Halifax, was not only the resort of the cultivated and refined, but the home of the homeless. . . . And it was here the young adventurer, John Paul, was first touched by those gentler and purer influences, which changed not only his name, but himself, from the rough and reckless mariner into the polished man of society, who was the companion of kings, and the lion and pet of Parisian salons. The almost worshipping love and reverence, awakened in his hitherto wild and untamed nature, by the generous kindness of the brothers, found expression in his adoption of their name. The truth of this account is not only attested by the descendants of Willie Jones, but by the nephew and descendant of Paul Jones, Mr. Lowden, of South Carolina. This gentleman in 1846 was in Washington, awaiting the passage of a bill by congress, awarding him the land claim of his distinguished uncle, Paul Jones, which had been allowed by the Executive of Virginia. Hon. E. W. Hubbard, then a member of congress from Virginia, had in 1844 prepared a report on Virginia land claims, in which the committee endorsed that of Paul Jones. This naturally attracted Mr. Lowden to him, and, learning that Mrs. Hubbard was a descendant of Willie Jones, he repeated both to Col. Hubbard and herself the cause of his uncle's change of name, and added that amongst his pictures hung a portrait of Allen Jones."

I have quoted largely from this interesting letter, because so many of the statements contained in it are true beyond contradiction, and because it is so strongly corroborative of the tradition I am seeking to sustain. Col. E. W. Hubbard, of Virginia, married Miss Sallie Eppes, who was a granddaughter of Willie Jones. He was a member of the 29th congress, and in 1846 a bill was introduced in that body for the relief of the representatives of Paul Jones, which passed both houses. This bill, however, was by some mischance, lost in the senate, and did not become a law. In the next congress, it was again introduced, and finally passed in March, 1848. As early as 1787, congress had recommended the settlement of Jones's claim for "pay, advances, and expenses" amounting to £9784 16s. 1d., but a full half century elapsed before justice was permitted to be done to the memory of

one who had rendered such invaluable and illustrious services to this country. What a commentary upon the gratitude of republics!

Paul Jones's will was executed in Paris on July 18, 1792, the day of his death. A duly exemplified copy of it was admitted to probate in Philadelphia on May 25, 1848, and Frances E. Lowden appointed administratrix *de bene esse cum testamento annexo*, and the government paid to her the sum of \$21,202.44 for Jones's share of the prize money from the ships Betsey, Union, and Charming Polly, captured by his squadron off the coast of England, his pay from June 21, 1781, to May 1788, \$5,040, and \$2,598.42 for moneys advanced by him for the government, aggregating the sum of \$28,840.86.

Again. I have before mentioned the fact that Jones had a nephew named Lowden, who lived in Charleston, S. C., in 1825.\* Now, what more natural and reasonable than that this nephew should be in Washington, when this bill claimed the attention of congress, to give his personal aid and attention towards its passage, and the final accomplishment of a tardy act of justice.

It may seem strange that this cause for Paul's change of name should be known to Mr. Lowden, and not to Mrs. Taylor, Jones's sister, and her children. But then there were many strange and at this period unaccountable incidents in the life of this singular man. It would seem that there was not much love lost between the Lowdens and the Taylors, and therefore little or no correspondence between them. The following is an extract from a letter from Jones to his sister, Mrs. Taylor, dated Paris, December 27, 1790, and taken from Miss Taylor's book, page 519. "I duly received, *my dear Mrs. Taylor*, your letter of the 16th August, but ever since that time I have been unable to answer it, not having been capable to go out of my chamber, and having been for the most part obliged to keep my bed . . . . I shall not conceal from you that your family discord aggravates infinitely all my pains. My grief is inexpressible, that two sisters, whose happiness is so interesting to me, do not live together in that mutual tenderness and affection, which would do so much honor to themselves and to the memory of their worthy relations. . . . Though I wish to be the instrument of making family-

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\*See Sherbourne, note to page 10. Miss Taylor, page 14.

peace, which I flatter myself would tend to promote the happiness of you all, yet I by no means desire you to do violence to your own feelings, by taking any step, that is contrary to your own judgment and inclination.”\*

Miss Taylor gives no explanation of this bitter feeling between the two sisters, and this letter is the only allusion to it in her book. I venture to say that it was caused by the will of William Paul and the fact that he gave all his estate to his sister Mary, who afterwards married William Lowden. Every lawyer of experience well knows that there is nothing so well calculated to create bitterness and discord in a family as an unequal distribution of his estate by one of its members.

Mr. Lowden moved to this country, at what time is unknown to me, and lived in South Carolina, while the Taylors remained in Scotland. It is easy to see that he may well have heard of this tradition, about which I am writing, after he came to this country and have convinced himself of the truth of it; and at the same time that it should not be known to the family who remained in Scotland.

That distinguished and accomplished gentleman, the late Col. Cadwallader Jones, of Rock Hill, S. C., who died in 1899 at the age of 86 years, in his genealogical history of the Jones family, page 6, says: “Willie Jones lived at ‘The Grove,’ near Halifax. These old mansions, grand in their proportions, were the homes of abounding hospitality. In this connection, I may mention that when John Paul Jones visited Halifax, then a young sailor and stranger, he made the acquaintance of those grand old patriots, Allen and Willie Jones. He was a young man, but an old tar, with a bold, frank, sailor bearing, that attracted their attention. He became a frequent visitor at their houses, where he was always welcome. He soon grew fond of them, and as a mark of his esteem and admiration, he adopted their name, *saying that if he lived he would make them proud of it.* Thus John Paul became Paul Jones—it was his fancy. He named his ship the Bon Homme Richard in compliment to Franklin; he named himself Jones, in compliment to Allen and Willie Jones. When the first notes of war sounded, he obtained letters from

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\*The letter from Mrs. Taylor to which the above is an answer is not published in Miss Taylor's book.

these brothers to Joseph Hewes, member of congress from North Carolina, and through his influence received his first commission in the navy. I am now the oldest living descendant of General Allen Jones. I remember my aunt, Mrs. Willie Jones, who survived her husband many years, and when a boy I heard these facts spoken of in both families."

The distinguished historian of South Carolina, the late General Edward McCrady, of Charleston, S. C., in a letter dated April 3, 1900, says: "Mrs. McCrady was the granddaughter of General Wm. R. Davie, of revolutionary fame, who married the daughter of General Allen Jones, of Mount Gallant, Northampton, N. C. Tradition in her branch of the family has been, that it was Allen Jones who befriended John Paul and not his brother Willie . . . It was in honor of Allen Jones that he adopted the name of Jones as surname to that of Paul."

Col. W. H. S. Burgwyn, in his sketch of "The Grove" in volume 2, No. 9 of the North Carolina Booklet, mentions a letter received from Mrs. Wm. W. Alston, of Isle of Wight county, Virginia, a granddaughter of Willie Jones, over eighty years of age. She writes: "You ask did John Paul Jones change his name in compliment to my grandfather, Willie Jones. I have always heard that he did, and there is no reason to doubt the fact. Not only have I always heard it, but it was confirmed by my cousin, Mrs. Hubard, wife of Colonel E. Hubard, from Virginia, while in Washington in 1856\* with her husband, who was a member of congress. She there met a nephew of John Paul Jones, who sought her out on hearing who she was. He told her of hearing his uncle and the family speak of the incident often and his great devotion to the family, so that in my opinion you can state it as an historical fact."

So that, to whatever branch of the Jones family we turn, whether to the descendants of Allen or of Willie, and whether living in North Carolina, or South Carolina, or Virginia, we find the same well cherished tradition that Paul took the name of Jones out of love for one or the other of these two brothers. And who shall say that this tradition, so long and so well preserved and sustained, even through a century and more, does not carry with it much greater weight and authority, than the wild sur-

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\*This is an evident error and should be 1846.—J. D.



mises of *soi-disant* historians. It matters not for the purposes of this article, whether it was from love of Allen or love of Willie, so that the fact remains.

But we are not left to tradition alone for authority; there are writers who rise to the dignity of historians who also testify to this fact. John H. Wheeler, the historian of North Carolina, was a most indefatigable gatherer and collector of the traditions and historical events of this State. While not always strictly accurate in his details, yet his works are of acknowledged value and high authority. In his reminiscences, page 198, he says: "The daring and celebrated John Paul Jones, whose real name was John Paul, of Scotland, when quite young, visited Mr. Willie Jones at Halifax, and became so fascinated with him, and his charming wife, that he adopted this family's name. In this name (John Paul Jones) he offered his services to congress, and was made lieutenant, December 22, 1775, on the recommendation of Willie Jones."

In Appleton's Encyclopedia, volume 3, page 462, is a sketch of Allen and Willie Jones and of Mary Montford, wife of Willie Jones. I quote from this: "It is said that it was in affectionate admiration of this lady (Mrs. Willie Jones) John Paul Jones, whose real name was John Paul, added Jones to his name, and under it, by the recommendation of Willie, offered his services to congress."

In the article on John Paul Jones in Harper's Encyclopedia of United States History, volume 5, page 189, the writer says: "Jones came to Virginia in 1773, inheriting the estate of his brother, who died there. Offering his services to congress, he was made first lieutenant in the navy in December, 1775, when out of gratitude to General Jones, of North Carolina, he assumed his name. Before that he was John Paul."

One of the latest works on the life of Jones is that written by the Rev. C. T. Brady, and published in 1900. He had access not only to all previous works on this subject, but also to a large number of rare books, pamphlets and manuscripts not available to the earlier writers. He also says, that, in none of the correspondence of Jones which now remains, does he allude to his change of name. He says, page 10: "Very little is known of his life from this period"—that is, after his coming to America—

"until his entry into the public service of the United States. . . . During this period, however, he took that step which has been a puzzle to so many of his biographers, and which he never explained in any of his correspondence that remains. He came to America under the name of John Paul; he re-appeared after *this period of obscurity* under the name of John Paul Jones."

Mr. Brady mentions the claim advanced by the descendants of Willie and Allen Jones that it was out of affection for this family that Paul changed his name; and while he mentions it without any expression of his belief or disbelief, yet he gives what I have always considered a strong reason for its support. No thoughtful student can follow the career of Paul without being struck by the almost magic transformation, in a short period, of the rough sailor into the polished gentleman and courtier, whose ease and grace of person and charm of manner made him distinguished even in the aristocratic circles of Paris. What brought about this marvellous re-incarnation of the man? He went to sea an apprentice at the age of twelve, and a few years later was engaged in the slave trade, in which he continued, rising to the position of first mate of a slaver, until 1768, when he was twenty-one years of age. So that during the formative period of his life, when the nature of a man is most susceptible, and when it is generally and most easily shaped and moulded by the surrounding influences of his daily life, we find him engaged in the most brutalizing and degrading of services, one well calculated not merely to blunt and sear, but to kill all the gentle and refining tendencies which God may have implanted in his soul. So we may well ask what wrought this transformation? When he quit the slave trade, he still continued to follow the sea until he came to Virginia in 1773. So far we find in his life no explanation of this change. It must have taken place during that "period of obscurity" which followed, until he stepped forth in the full blaze of public notice as the Senior First Lieutenant of the Continental Navy in December, 1775. As I said before, Mr. Brady gives, what has ever seemed to me, the true explanation. Speaking of the friendship which sprang up between Willie Jones and Paul, and the invitation from Willie Jones to Paul to visit at his plantation (page 12), he says: "The lonely, friendless little Scotchman gratefully accepted the invitation—the society of gentle people

always delighted him, he ever loved to mingle with great folk throughout his life, and passed a long period at 'The Grove' in Halifax county, the residence of Willie, and at 'Mount Gallant' in North Hampton county, the home of Allen. While there, he was thrown much in the society of the wife of Willie Jones, a lady noted and remembered for her grace of mind and person. . . . The Jones brothers were men of culture and refinement. They were Eton boys, and had completed their education by travel and observation in Europe. That they should have become so attached to the young sailor as to have made him their guest for long periods, and cherished the highest regard for him subsequently, is an evidence of the character and quality of the man. Probably for the first time in his life Paul was introduced to the society of the refined and cultivated. A new horizon opened before him, and he breathed, as it were, another atmosphere. Life for him assumed a new complexion. Always an interesting personality, with his habits of thought, assiduous study, coupled with the responsibilities of command, he needed but a little contact with gentle people and polite society, to add to his character those graces of manner, which are the final crown of the gentleman, and which the best of contemporaries have borne testimony he did not lack. The impression made upon him by the privilege of this association was of the deepest, and he gave to his new friends, and to Mrs. Jones especially, a warm-hearted affection and devotion amounting to veneration."

No other of Jones's biographers, so far as my limited library has afforded me the means of research, has ever attempted to account for this phase of his character. Certainly the argument advanced by Mr. Brady is not only very plausible, but is reasonable and grounded upon well attested tradition. Since this article was written, Mr. Brady, in an article before mentioned, gives his voice in favor of the tradition I have related.

(TO BE CONTINUED.)

## BOOK REVIEWS

**A PRIMER OF FORESTRY.** Part I, *The Forest*, 1903, 89 pp. Part II, *Practical Forestry*, 1905, 88 pp. By Gifford Pinchot. Washington: Government Printing Office.

Among the many admirably useful publications of the United States Department of Agriculture these little volumes deserve especial mention. They are written in a most simple and readable style and lavishly illustrated. The first volume contains forty-seven full-page plates and eighty-three smaller illustrations; the second contains eighteen plates and forty-seven smaller illustrations. No wide awake person from ten years to three score and ten can fail to be interested in text or illustrations or both. Whoever reads is sure to be impressed with the necessity for intelligent and systematic treatment of our forests.

In the first volume, Mr. Pinchot, who is at the head of the forestry work of the national government, tells the story of forest life in chapters entitled *The Life of a Tree*, *Trees in the Forest*, *The Life of a Forest*, and *Enemies of the Forest*. The second volume describes the actual practice of scientific forestry, closing with a short account of forestry abroad and of the progress which has been made at home. These volumes will do much to create an intelligent public opinion in favor of the husbanding of our forest resources. They should be much in demand. G.

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**THE NATIONAL ADMINISTRATION OF THE UNITED STATES OF AMERICA.**  
By John A. Fairlie, Ph. D. New York: The Macmillan Company,  
1905,—xi., 274 pp.

Dr. Fairlie presents in this volume an enlightening survey of the whole field of national administration. As he suggests in his preface, it is indeed surprising that there has not been published long ago a comprehensive and systematic work on this subject. His book is concrete evidence of the increased interest in, and importance attached to, administrative questions. The author has made a thoroughgoing and accurate study based upon a wide acquaintance with the general and special authorities. Useful lists of references are furnished at the head of each chapter. The

volume will make good reading for any citizen who is interested in getting a connected view of the federal government in its manifold activities. Many chapters will have a special value. For instance, the student of public finance will welcome the compact and clear statement of the functions of the Department of the Treasury contained in chapters 7 and 8. Other chapters can be drawn upon for a statement of the action of the several departments of the government in promoting, fostering and regulating industry. Especially interesting are the chapters on the general and special administrative powers of the President, on the participation of the senate and congress in matters of administration, and on the part played by the Cabinet in our administrative system. It would be fortunate if there were available similar well prepared surveys of the administration of at least the most important States. G.

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THE MORAVIANS IN GEORGIA, 1735-1740. By Adelaide L. Fries, Winston-Salem, N. C., 1905; pp. 252.

The Moravian settlement in Georgia was planted by Bishop Spangenberg and nine associates in 1735. It received reinforcements till the numbers reached forty-seven. It was settled on the banks of the Savannah near the town of Tomochichi, the Indian chieftian whose aid was so valuable to the colony in its earliest period. The Moravians proved themselves admirable frontiersmen, working steadily, planting homes noted for cleanliness and comfort, and cheerful, sober, and thrifty in the manner. They liked the community and seemed to be beginning a prosperous career when the difficulty was raised which drove them from the colony. They had as a body embraced that doctrine of non-resistance for which the Quakers were also widely known. They accordingly refused to bear arms and, in the exposed condition of the colony in the war with Spain, in 1739-1742, this was a ground for much complaint by the rest of the inhabitants. Although Oglethorpe was induced to give them a particular exemption from military service, the people insisted that they should do their share in driving off the enemy; and the result was that the Moravians abandoned their settlement and went to Pennsylvania, the last of them except two going in 1745. The short period of their stay did not do much to affect the history of

Georgia; but it showed what a large infusion of sober and thrifty German blood might have done for the place.

This incident finds a faithful and competent historian in Miss Fries. Her narrative is drawn chiefly from Moravian records in Salem, N. C., Bethlehem, Pa., and Herrnhut, Germany. It is presented in a distinct and interesting style, with a due sense of proportion and a reasonable appreciation of the human element. It would be difficult to find anywhere a better picture of the struggles of the early days of settlement than that which is here given of a Georgia community. It is worth to the student, and to the general reader as well, many volumes of categorical description of political charges; for this is a real picture of real life. It is important, too, for the presentation it contains of the early relations of Moravians and Methodists, and it makes it seem probable that but for the attempt on the Savannah river the Moravian church might not have been planted in England or in America. The book is well illustrated and has a serviceable index. It is not free from proof errors, as "Tyreman" for Tyerman, and one must smile at the persistency with which there appears the expressions Moravian "Church" and Methodist "denomination."

J. S. B.

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A NEW ERA IN OLD MEXICO. By G. B. Winton. Smith and Lamar. Nashville, viii., 203 pp.

Dr. Winton, at present editor of the *Nashville Advocate*, was for several years a missionary in Mexico. From his observations of Mexican life and his study of Mexican history he has written this interesting book as "a guide to intelligent observation and to further studies upon the part of others." He hopes that it may "contribute to a better understanding between near neighbors." Three chapters deal with the geography, the products, and the population of the country. As a background for the Mexico of today several chapters are given to the various periods of history. The influence of Spain and of France is treated in a discriminating and enlightened way. Naturally the most interesting part of the book is found in chapters 16-20 in which the author presents the great changes that have taken place since 1876. Although the book has to do with a rather wide range of subjects, it is a concise and well written interpretation of a country about which Americans as a rule know but little. E. M.

THE NAPOLEONIC EXILES IN AMERICA. A STUDY IN AMERICAN DIPLOMATIC HISTORY, 1815-1819. By Jesse Siddal Reeves. Baltimore: Johns Hopkins Press, 1905, pp. 134.

Dr. Reeves gives himself the task of recounting the history of the attempt of the friends of Napoleon to settle a colony in America out of the old soldiers of their hero. The interest in the movement centers around the unfortunate enterprise called Champ d'Asile, on the Trinity river in Texas. It appealed to many people in France because to some it seemed good to rid the country of a class of men who might prove useful to those who should try to put a Bonaparte on the throne in the future, and to many others because there was a tendency for some of the old soldiers of the Emperor to spend their days in idleness under the impression that ordinary work was beneath their dignity.

The Texas settlement reached Galveston in the spring of 1818 and received a warm welcome from the brothers Lafitte, who having been driven from Barataria by General Jackson, had made this place their headquarters. From the pirates they received valuable aid and proceeded to the site selected in the interior. A brave proclamation was then issued announcing that they took the land because it was unused, that they sought to occupy it peacefully both as regard white people and Indians, but that if attacked they would know how to defend themselves. They applied to the Spanish authorities for a grant of the place on which they selected, but received for reply only an armed expedition which had orders to break up the settlement. Before such an expedition they offered no resistance, claiming that they understood that the Spanish force numbered 1200 against the 200 armed men of the colony. The upshot was that the colonists retired to Galveston, lured on by the certainty of supplies there. Here they dispersed to various parts.

The story of the "Napoleonic Exiles" is told with much particularity and fairness. It fills an important gap in the history of the settlement of the Southwest, and by writing it the author has wrought a good service. The story, which is full of adventure, is presented in an easy and attractive form—relieved by literary allusions which mark the writer as a man of culture.

J. S. B.

## LITERARY NOTES

Mr. Charles L. Coon, of the North Carolina Department of Education, has done a genuine service by publishing his "Facts About Southern Educational Progress," prepared under the direction of the Campaign Committee of the Southern Education Board. There has been so much said in recent years of the educational awakening in the South—so many glittering generalities indulged in and so many roseate pictures drawn—that a scientific and accurate study of actual conditions is timely and necessary. Mr. Coon brings to the study wide observation, extensive study of facts and a fearless candor. Statistical tables are interspersed with incisive remarks of the author and quotations from distinguished men. The pamphlet of 124 pages is a veritable storehouse for writers and speakers on Education in the South. Part I. deals with Southern Population Statistics by States; Part II., Important Constitutional Provisions Relating to Public Education and a Summary of School Taxation Laws; Part III., Financial Ability to Levy School Taxes; Part IV., a Summary of School Laws; Part V., Southern Educational Statistics in Detail; Part VI., Looking to the Future, or Some Campaign Suggestions. This pamphlet has back of it the endorsement of the Campaign Committee of the Southern Education Board and of the Superintendents of Public Instruction in the South. Without such endorsement it should make its way by the absolute value of the work. The keynote is struck on the title page by a quotation from Emerson: "Men like flattery for the moment, but they know the truth for their own. It is a foolish cowardice which keeps us from trusting them, and speaking to them rude truth. They resent your honesty for an instant, they will thank you for it always." In this spirit we believe the Southern people will accept Mr. Coon's very searching analysis of conditions as they are.

Professor Walter L. Fleming, of West Virginia University, has prepared for the New York State Education Department a syllabus on the "Reconstruction of the Seceded States, 1865-1876."



In no other book or pamphlet in this period will we find so much that is suggestive and helpful to students. Under the following subjects the author has arranged references and suggested topics for study: "The Aftermath of War," "Problems of Reconstruction," "Political Parties, 1864-66," "Plans and Theories of Reconstruction," "'Restoration' by the President," "Congress Rejects the 'Restoration,'" "'Reconstruction' by Congress," "Carpetbag and Negro Rule," "Restoration Overthrown," "Undoing of Reconstruction," and "Results of Reconstruction." In the appendix are printed representative contemporary letters, reports, editorials, etc. Professor Fleming shows in this, as in all of his other work, that he is a scholar of rare industry and insight. Readers of the *QUARTERLY* look forward to his approaching history of Alabama with much interest.

The American Book Company has brought out Rolfe's edition of Shakespeare's plays in a new and more attractive edition. The notes have been improved by omitting many that could have no possible value for a student beginning the study of Shakespeare. High schools and colleges will find the edition to be the most satisfactory, perhaps, of all editions for text-book work. The binding, paper, print, and editing are admirable.

Dr. Charles Lee Raper, of the University of North Carolina, has nearly completed his "Principles of Wealth and Welfare," a text-book in economics for high schools. It will be published by the Macmillan Company.



## Index of Volume IV.

---

- Abolitionists, The, 90.  
*Alabama, Blockade Running Into*, 256.  
 Alderman, E. A., On J. L. M. Curry, 177.  
 Alexandria, Virginia, 234.  
*Ancestry of Robert E. Lee, The*, by William Henry Mann, 305.
- BASSETT, JOHN SPENCER, *An Exile from the South*, 82.  
 —, *Editor's Announcement*, 91.  
 —, Reviews by—Mrs. Longstreet, "Lee and Longstreet at High Tide," 92; Burgoyne, "History of Queen Elizabeth, Amy Robart, and the Earl of Leicester," 93; Brooks, "A Garden with a House Attached," 95; Johnston, "History of the Library of Congress," 98; Phelps, English version of Wagner's "Parsifal," 101; McLaughlin, "Report on the Diplomatic Archives of the Department of State," 102; Van Tyne and Leland, "Guide to the Archives of the Government of the United States in Washington," 102; Rolfe's Edition of Shakespeare's Plays, 102; Connor, "North Carolina Historical Commission," 103; Rogers, "The True Henry Clay," 195; Lamprecht, "What Is History," 297; Fries, "The Moravians in Georgia," 393; Reeves, "The Napoleonic Exiles," 395.  
 Blaine, James G., On the Fourteenth and Fifteenth Amendments, 210.  
*Blockade Running and Trade Through the Lines Into Alabama, 1861-1865*, by Walter L. Fleming, 256.  
 BOWEN, EDWIN W., *The Franklin Bicentenary*, 352.  
 British Museum, The, 320.  
 California, Independent Order of White Men in, 78.  
 Carnegie Institution, The, 102.
- CLARK, THOMAS H., *An Emerson Reminiscence*, 284.  
 Cleveland, Grover, 48, 53.  
 College Endowments, Exemption of from Taxation, 249.  
 CONNOR, R. D. W., *The Peabody Education Fund*, 169.  
 Conway, Moncure D., Attitude to Slavery, 82, 86; Religious Training, 83; Methodist Preacher, 85; in Cambridge, 86; Return to Virginia, 88.  
 Cornell University, 229.  
 Cotton, Overproduction of and a Possible Remedy, 148; Proposed Tax to Limit Production of, 156; the Production and Manufacture of, 71, 332.  
 Curry, J. L. M., 176.  
 Curtis, George William, Leader of Independents, 52.
- Daniel, John M., and *Some of His Contemporaries*, by Oscar P. Fitzgerald, 13.  
 Daniel, John M., Compared with M. D. Conway, 89.  
 DAVIS, JUKIUS, *Some Facts About Paul Jones*, 378.  
 Dickinson College, Pa., 84.  
 DODD, WILLIAM E., *Robert E. Lee and Reconstruction*, 63.  
*Duke, Washington*, by William P. Few, 203.
- Editor's Announcement*, by John Spencer Bassett, 91.  
*Editors' Announcement*, by Edwin Mims and William H. Glasson, 105.  
*Emerson Reminiscence, An*, by Thos. H. Clark, 284.  
 Emerson, Influence on M. D. Conway, 85, 86.  
*Ethical Theory as a Basis for Educational Theory and Practice*, by Bruce R. Payne, 365.  
*Executive Prerogative in the United States, The*, by David V. Thomas, 273, 340.

- Exemption of College Endowments from Taxation*, by Edgar H. Johnson, 249.
- Exile from the South*, An, by John Spencer Bassett, 82.
- FEW, WILLIAM PRESTON, *Southern Public Opinion*, 1.
- , *Some Contemporary American Essayists*, 182.
- , *Washington Duke*, 203.
- , Reviews by—Perry, "The Amateur Spirit," 182; Briggs, "Routine and Ideals," 184; Shaw, "The Business Career in Its Public Relation," 186; More, "Shelburne Essays," 187.
- Fifteenth Amendment, The, 209.
- FITZGERALD, OSCAR PENN, John M. *Daniel and Some of His Contemporaries*, 13.
- FLOWERS, ROBERT LEE, *Matthew Whitaker Ransom: a Senator of the Old Regime*, 159.
- FLEMING, WALTER L., *The Independent Order of White Men*, 78.
- , *Blockade Running and Trade Through the Lines into Alabama, 1861-1865*, 256.
- Fourteenth Amendment and Southern Representation, The, by James Wilford Garner, 209.
- Franklin Bi-centenary*, The, by Edwin W. Bowen, 352.
- GARNER, JAMES WILFORD, *The Fourteenth Amendment and Southern Representation*, 209.
- GILMAN, DANIEL COIT, *Sidney Lanier; Reminiscences and Letters*, 115.
- GLASSON, WILLIAM H. (with Edwin Mims), *Editors' Announcement*, 105.
- , Reviews by—Bolen, "Getting a Living," 99; Spearman, "The Strategy of Great Railroads," 100; Ripley, "Trusts, Pools and Corporations," 196; Adams and Sumner, "Labor Problems," 197; "Yale Insurance Lectures," 198; Pinchot, "A Primer of Forestry," 392; Fairlie, "The National Administration of the United States of America," 392.
- Hague Court*, The, by John H. Latané, 123.
- Hart, A. B., Editor, 202.
- Impartial History of a Critical Period*, An, by E. Walter Sikes, 291.
- Independent Order of White Men*, The, by Walter L. Fleming, 78.
- International Arbitration, 123.
- Italian Cotton Grower*, The: *The Negro's Problem*, by Alfred Holt Stone, 42.
- Italian Immigration Into the South*, by Emily Fogg Meade, 217.
- Italian, The, as a Farmer, 219; Compared with Negro, 44.
- Johnson, President Andrew, Attitude to Reconstruction, 66-68.
- JOHNSON, EDGAR H., *Exemption of College Endowments from Taxation*, 249.
- Johns Hopkins University, Lanier's Lectures at, 116-120.
- Johnston, Joseph E., Surrender of, 291.
- Jones, John Paul, The North Carolina tradition about, 378.
- Jones, Willie, Hon., Relation of John Paul Jones to, 384.
- KILGO, JOHN CARLISLE, *The Strength of Our Fathers*, 29.
- Knights of the Golden Circle, 241.
- Labor Problem in the South, 217.
- Lanier, Sidney, *Reminiscences and Letters*, by Daniel Coit Gilman, 115.
- LATANE, JOHN H., *The Hague Court*, 123.
- Lee, Light Horse Harry, 310.
- Lee, Richard Henry, 308.
- Lee, Robert E., Ancestry of, 305; and Reconstruction, 63; Attitude to Slavery, 64; to Negro Suffrage, 69; Roosevelt's Opinion of, 57; at Beginning of the War, 235.
- LEE, MISS S. L., *War Time in Alexandria, Virginia*, 234.
- Library of Congress, The South and the*, by J. D. Rodeffer, 318.
- Literary Notes*, 101, 200, 302, 396.
- Louisiana, A Spanish Project for the Conquest of, 18.
- MABIE, HAMILTON WRIGHT, *The New North*, 109.
- MANN, WILLIAM HENRY, *The Ancestors of Robert E. Lee*, 305.
- Manual Training in Schools, 373.
- MEADE, EMILY FOGG, *Italian Immigration Into the South*, 217.

Methodists, in Virginia, 83, 85.  
MIMS, EDWIN, *President Theodore Roosevelt*, 48.

— (with W. H. Glasson), *Editors' Announcement*, 105.

—, *Reviews by—*Sidney Lee, "Great Englishman of the Sixteenth Century," 189; Wendell, "The Temper of the Seventeenth Century in Literature," 189; Dixon, "The Clansman," 192; Wise, "Lion's Skin," 192; Hammond, "The Master Word," 296; Upton, "Theodore Thomas: A Musical Autobiography," 300; Winton, "A New Era in Old Mexico," 394; Coon, "Facts About Southern Educational Progress," 396; Fleming, "Reconstruction in the Seceded States," 396.

Negro Problem, *The*, 42, 62, 74, 112, 167, 207, 287.

*New North, The*, by Hamilton W. Mabie, 109.

North Carolina, *Industrial Progress in*, 71; *Factory Life in*, 72; *Trades Unions in*, 73; *Growing Independence in*, 76; *Truck Farming in*, 335; *Educational Progress in*, 396.

Norton, Charles Eliot, *Ruskin's Letters to*, 138.

*Overproduction of Cotton and a Possible Remedy, The*, by Ulrich B. Phillips, 148.

PAYNE, BRUCE R., *Ethical Theory as a Basis for Educational Theory and Practice*, 365.

*Peabody Education Fund, The*, by R. D. W. Connor, 169.

PHILLIPS, ULRICH BONNELL, *Overproduction of Cotton and a Possible Remedy*, 148.

POE, CLARENCE H., *Two Books on the Negro*, 287.

Poe, Edgar Allan, 14, 324.

President of the United States, *The Prerogative of*, 273; *Peace Powers of*, 274; *War Powers*, 276; *Powers as to Hostile Domestic Territory*, 345; *as to New Territory*, 346.

RAMMELKAMP, CHARLES H., *Andrew Dickson White*, 224.

Ransom, Matthew Whitaker: *a Senator of the Old Regime*, by Robert L. Flowers, 159.

RAFER, CHARLES LEE, *The South and Cotton Manufacturing*, 322. *Reconstruction, Roosevelt's Attitude to*, 61; *Lee's Attitude to*, 63.

REVIEWS:—Adams and Sumner, "Labor Problems," 197; Bolen, "Getting a Living," 99; Briggs, "Routine and Ideals," 184; Brooks, "A Garden with a House Attached," 95; Buell, "History of Andrew Jackson," 94; Burgoyne, Editor, "History of Queen Elizabeth and Amy Robsart," 93; Connor, "Report of North Carolina Commission," 103; Conway, "Autobiography," 82; Coon, "Southern Educational Progress," 396; Dixon, "The Clansman," 192; Fairlie, "National Administration of the United States," 392; Ford, "The Journals of the Continental Congress," 303; Fox, "Christmas Eve on Lonesome, and Other Stories," 96; Fries, "The Moravians in Georgia," 302, 393; Le Gallienne, "Painted Shadows," 98; Grant, "The Undercurrent," 96; Hammond, "The Master Word," 298; Joyner, "Report of the Superintendent of Public Instruction," 201; Lamprecht, "What is History," 297; Lee, "Letters and Recollections of Robert E. Lee," 63; Lee, Sidney, "Great Englishmen of the Sixteenth Century," 189; Leland, "Guide to the Archives," 102; Longstreet, "Lee and Longstreet at High Tide," 92; McLaughlin, "Report on the Diplomatic Archives," 102; More, "Shelburne Essays," 187; Page, "Bred in the Bone," 97; "The Negro: The Southerner's Problem," 287; Perry, "The Amateur Spirit," 182; Phelps, Translator, Wagner's "Parsifal," 101; Pinchot, "A Primer of Forestry," 392; Pitkin, "An Angel by Brevet," 97; Rhodes, "A History of the United States," 291; Ripley, "Trusts, Pools, and Corporations," 196; Reeves, "The Napoleonic Exiles," 395; Rogers, "The True Henry Clay," 195; Rolfe, Editor, *Shakespeare's Plays*, 102, 397; Schelling, "The Queen's Progress," 200;

- Shaw, "The Business Career," 186; Smith, W. B., "The Color Line," 287; Spearman, "The Strategy of Great Railroads," 100; Tybout, "Pometown People," 97; Upton, Editor, "Theodore Thomas: A Musical Autobiography," 300; Van Tyne, "Guide to the Archives of the Government," 102; Wendell, "The Temper of the Seventeenth Century in Literature," 189; White, "Autobiography," 224; Winton, "A New Era in Old Mexico," 394; Wise, "The Lion's Skin," 192; "Yale Insurance Lectures," 198; "Yale Studies in English," 202.
- Richmond, Va., Newspapers in, 16.
- RODEFFER, J. D., *The South's Interests in the Library of Congress*, 316.
- Roosevelt, President Theodore, by Edwin Mims, 48.
- Roosevelt, Theodore, Attitude of South to, 48; Popularity, 50; Versatility, 50; as Reformer, 52-54; Attitude to Industrial Problem, 55; Attitude to South, 56.
- Ruskin's Letters to Charles Eliot Norton, by Henry N. Snyder, 138.
- Sears, Barnas, General Agent of Peabody Education Fund, 173.
- Sewanee Review, 201.
- SHEPHERD, WILLIAM R., *A Spanish Project for the Conquest of Louisiana in 1804*, 18.
- SIKES, E. WALTER, *An Impartial History of a Critical Period*, 291.
- Slavery, Attitude of Southern Men to, 82; Attitude of Lee to, 64; of Conway, 86; of Abolitionists, 90; Effect of on South, 333.
- Slater Fund, for Negro Education, 179.
- SMOOT, THOMAS A., *Some New North Carolina Industries*, 325.
- SNYDER, HENRY NELSON, *Ruskin's Letter to Charles Eliot Norton*, 138.
- Society, the Relation of, to the Individual, 367.
- Some Contemporary American Essayists*, by William P. Few, 182.
- Some Effects of Industrialism in an Agricultural State*, by Holland Thompson, 71.
- Some Facts About John Paul Jones*, by Junius Davis, 378.
- Some New North Carolina Industries*, by Thomas A. Smoot, 325.
- South, The, Decline in Influence of, 2; Sensitiveness to Criticism, 2, 3; Educational Conditions in, 4, 113, 213; Effect of Negro on, 5; Literature of, 7, 113; Immigration into, 46, 47; Prejudice of, 48; Types of Southerners, 59; Middle Class in Before the War, 82; Growing Tolerance in, 88, 90; as a Field for Work, 107; Libraries in, 316; Prosperity of, 1850-1860, 332; Supremacy of Cotton in, 337; Effect of Slavery on, 337; New South, 107, 324; Truck Farming in, 325.
- South Atlantic Publishing Company, 105.
- South Atlantic Quarterly, Purposes of, 106.
- South's, The, Interest in the Library of Congress, by J. D. Rodeffer, 316.
- Southern Education Board, 179.
- Southern Newspapers, 13-17.
- Southern Public Opinion*, by William P. Few, 1.
- Spanish Project for the Conquest of Louisiana*, A, by William R. Shepherd, 18.
- STONE, ALFRED HOLT, *The Italian Cotton Grower: The Negro's Problem*, 42.
- Strength of Our Fathers, The*, by John C. Kilgo, 29.
- Suffrage Qualifications in the South, 213.
- THOMAS, DAVID Y., *Executive Prerogative in the United States*, 273.
- THOMPSON, HOLLAND, *Some Effects of Industrialism in an Agricultural State*, 71.
- Two Books on the Negro*, by Clarence H. Poe, 287.
- Trinity College, 204.
- Venezuela Claimed Arbitration, 133.
- War Time in Alexandria, Virginia*, by Miss S. L. Lee, 234.
- Washington, Booker, 61, 300.
- White, Andrew Dickson, by C. H. Rammelkamp, 224.







